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"OPIUM'

"OPIUM"

BY

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WITH AN

INTRODUCTORY NOTE FOR AMERICAN READERS

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TO

THE VALIANT SPIRIT

OF

DR. HAMILTON WRIGHT

"The Sword of the Lord
and of Gideon"

ACKNOWLEDGMENT

IT would require a very long list to enumerate all of the persons to whom the author of this book is indebted for invaluable assistance in its preparation. To all of them, especially including those who have helped me without knowing that they did so, I extend my grateful appreciation. I refrain from more specific mention, because . . . "Opium" has a long arm, and neither conscience nor mercy!

J. P. G.

THE CENTURY CLUB,
NEW YORK CITY.

FOREWORD

CIVILIZED mankind is only now awakening to the problem involved in the growing addiction to, and indiscriminate traffic in, narcotic drugs. It is only beginning to realize that it is no longer a question of suppressing in the Far East an Oriental vice, or of keeping it in its primitive forms from invading the slums of European and American cities; nor yet of saving occasional individuals from the beginning or the consequences of a ruinous habit. The world is slowly coming to recognize the existence of a world problem and a world task of the first magnitude; momentously important and exceedingly difficult, demanding complete international unity of intelligence and administrative co-operation. Difficult because deeply rooted in ancient ignorance and social habits, in perverse appetites and in the greed of gain. Immensely important because the steadily increasing threat is against the welfare of all races and nationalities, of all communities—in the United States and Canada, in Europe, South America, Australia and New Zealand; in Africa, India, Japan, Siam, China and the islands of Far Eastern seas; more and more in every corner of the inhabited earth. No place where people live is sheltered from this peril which menaces men, women and children as few other things ever have menaced them.

The complex nature and the obstinacy of the problem were vividly disclosed in the great International Opium Conferences held under the auspices of the League of Nations at Geneva from November 3, 1924, to February 19, 1925. To anyone who, whether as participant or as attentive spectator, sat for all those weeks in the midst of those gatherings of the nations, observing the interplay and conflict of diverse interests and opinions, it is no source of surprise that the people of all the nations

represented or unrepresented therein, were bewildered by the conflicting and frequently unintelligible reports which emanated from them. The writers of those reports were not only more or less subject to the national bias and prejudices of their respective allegiances and a certain abiding jealousy of supposedly conflicting political and commercial interests ; they were also more or less confused and bemuddled by lack of familiarity with an exceedingly intricate and baffling subject. In that respect they were no worse off than all except a very few of the delegates to the conferences ! And the perplexity of all concerned was in no way diminished by the fact that there were not one conference but two, and that the limitations and insufficiencies of the first protracted and generally bedevilled the second ; incidentally disclosing a serious incompatibility of council among those whose unity of purpose and policy is absolutely indispensable to effective measures.

The single purpose of this book, by one who, for nearly four months, followed the Geneva Conferences, and meanwhile gave somewhat careful study to some of the principal aspects of the subject, is to pull together the main threads of the problem as a whole for the benefit of the ordinary reader. The writer assumes it to be unnecessary to stress the personal aspects of drug addiction ; to dwell upon the folly, the certainly disastrous consequences, of tampering with narcotic drugs save under the strict instructions of the competent and conscientious physicians who administer them with increasing reluctance and caution. This is an attempt to make reasonably clear, despite their many and complex ramifications, some of the chief factors in the international problem, with the hope of contributing, if may be, somewhat to its ultimate solution.

JOHN PALMER GAVIT.

GENEVA,
SWITZERLAND, 1925.

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DURING THE PAST TWO YEARS

(AN INTRODUCTORY NOTE FOR AMERICAN READERS)

SUCH progress in the war against the abuse of narcotics as has been made during the two years and more that have elapsed since this book was written, goes mostly to the credit of the Enemy. The " Allies "—meaning the governments upon whom in the last analysis must fall the responsibility for his defeat—are still, so far as measures having any real effect are concerned, content with pious utterances, admirable writings on paper, talking in terms of good intention, while " fishing behind the net ". The drug manufacturers—with a few distinguished exceptions—the " dope " peddlers, the increasing army of addicts of raw and prepared opium, morphine, heroin, and cocaine, continue to flourish and spread their unholy cause. The illicit traffic increases steadily.

In certain respects of minor detail, this volume is subject to errata. Some of the illustrative statistics might be amplified and brought down to date. But even a complete revision would not alter their truthfulness or their sinister significance. Nor would this author in any substantial way change his statements of fact or modify his conclusions. Since the original publication of this book no appreciable error of fact has been drawn to my attention ; no allegation of unfairness or undue bias in any behalf ; no omission of any matter necessary for an intelligent understanding of the problem. On the whole, the situation remains precisely what it was, " only more so ".

Certain things have happened since 1925 which the reader of the following chapters needs to know. This introductory note is for the purpose of mentioning what seem to be the most important of them, namely :

The radical change in the policy of the Government of India.

The somewhat dramatic entry of Italy upon the fighting-front, and the consequent calling of the immediately impending extraordinary session of the Opium Advisory Committee of the League of Nations.

The Report of the Special Commission of Inquiry to Persia.

The new perils of the "*Chaine Duanes*".

The present status of the Geneva Convention of 1925, in respect of ratification and the projected establishment of the Central Board.

The only evidence of downright conviction of sin and intention toward works meet for repentance during the past two years has been afforded—strange and unexpected as that might seem—by the Government of India. That Government has done precisely what the American delegation demanded of it in the Second Geneva Conference; what the spokesmen for India and for the British regime generally declared could not and would not be done; that is, it has pledged itself unequivocally to diminish its export of opium by ten per cent a year until in 1936 it shall have discontinued it altogether. It is impossible to exaggerate the importance of this declaration; it means nothing less than a complete about-face in policy. It means incidentally that the venerable, sacrosanct Report of the Royal Commission of 1893[1], which hitherto has been as it were the bible of the Indian opium policy, has gone at last into the junk-heap of forgotten things where it belongs. It means further the abandonment of the always absurd contention that steps of reform must wait upon the suppression of the mythical "smuggling from China"—that convenient bugaboo of the standpatters in both of the Geneva Opium Conferences.

Moreover, there is a new factor in the India situation: a plea of guilty in behalf of the mysterious domain of the Indian Native States. At a conference at Simla, May 26, 1927, of representatives of thirty-three of the Native States, convened to discuss measures for dealing with the opium evil in these independent territories, the Viceroy of India, Lord Irwin, acknowledged (I am not aware that it ever was admitted before, officially, by either the British or the Indian Government) that the Native States of India, as such, are on the

[1] See in this volume pp. 96 *et seq.*

same footing as British India and every other party to the Versailles Treaty, with respect to the obligations of the Hague Opium Convention of 1912. Said Lord Irwin :

> The Treaty of Versailles, by which the League of Nations was brought into being, *and which automatically involved the ratification of the Hague Opium Convention*, was, as you remember, signed by representatives of India, including a ruling Prince, His Highness the Maharaja of Bikaner, and thereby India—not merely British India—became a party to this convention.

In the course of this speech, the Viceroy acknowledged, what other representatives of India always have denied, that the Native States contain " enormous stocks of opium for which there is at present no legitimate outlet ", and that " a stream of smuggled opium is flowing from the States ". No one can deny, said Lord Irwin, " that large quantities of opium are smuggled out of Indian States, not only into British India, but into other States as well ".

It is interesting, however futile now, to reflect upon the difference it would have made in the Geneva Conferences, had this candour been shown by the representatives of the Indian Government![1]

It is easy to overestimate the practical results of India's new posture. *The British Medical Journal* for July 16, 1927, says :

> The latest figures available from India show that while the area under poppy cultivation has been reduced from 133,500 acres in 1923–24 to 114,198 acres in 1924–25, the amount of opium produced increased from 2,122,000 lbs. in the former year to 2,340,000 lbs. in the latter, while the revenue of the Government of India from opium, which was Rs.1,66,02,095 in 1923–24, amounted to Rs.2,93,52,437 in 1925–26.

An outstanding development of the past year has been the entry of Italy into the activities of the Opium Advisory Committee. In September, 1926, in the Fifth Commission of the Assembly of the League of Nations (that division of the

[1] For other remarks about opium smuggling from the Native States, see in this volume pp. 95–6.

Assembly having to do with so-called humanitarian matters, including the traffic in opium and other dangerous drugs), Italy, by the voice of Signor Stefano Cavazzoni, demanded a place on the Advisory Committee. He called attention to the fact that hitherto that Committee had consisted exclusively of representatives of the countries engaged in the production of narcotics. He protested in all but so many words that a group charged with the duty of watching and curbing this world-menacing business ought to contain somebody beside those who needed to be watched and curbed. Italy was finding herself one of the victim countries, and would like to have a hand in the watching and curbing.

The demand was complied with, Signor Cavazzoni was added to the Advisory Committee, and at the succeeding session thereof, in January and February, 1927, made himself exceedingly evident. Unquestionably backed by the full support of his Government and the personal interest of Signor Mussolini, he declared that Italy was in the war to stay, and purposed to fight for thoroughgoing measures, more particularly including the curtailment of production of narcotic drugs on the basis of ascertained legitimate needs and a proper system of rationing among the nations. To his insistence more than to any other influence is due the calling of an extraordinary session of the Advisory Committee in late September, 1927, for the special purpose of studying the causes and other aspects of the illicit traffic. That session is impending as these words are written. It would be unfair and injudicious to attempt to forecast the proceedings.

During the two years since the original publication of this book, the Commission of Inquiry in Persia, of which Frederick A. Delano of Chicago was chairman, and which was appointed as one of the results of the Second Geneva Conference of 1925, has functioned, reported and subsided. It is no disparagement of its work to say that it was and could be only a gesture. Its findings have simply confirmed what everybody knew in advance ; namely, that there is enormous production of opium in Persia ; that the industry is an economic necessity of the people under existing conditions ; that the substitution of any other crop depends upon non-existent factors of transportation and agricultural development requiring a very large

public investment which Persia appears in no position to make. The Government officially is anxious to curb the output, but the practical politics of the situation are insuperable. Meanwhile, the export of opium from Bushire on the Persian Gulf, and the smuggling across all of the internal borders, continues and increases. Beyond any reasonable doubt, Persia is the principal source of the illicit traffic in raw opium.

It is difficult at this writing to appraise the precise status of the Geneva Convention of 1925. It is not in force, and nobody can say when, if ever, it will be. Under its own terms it can only come into force ninety days after the deposit with the League of Nations of ratification by the last of ten Powers, which must include at least seven of those represented in the Council of the League, and two of those seven must be permanent members.[1] At its ninth session (Jan.–Feb., 1927) the Opium Advisory Committee adopted resolutions urgently calling attention to the tardiness of members of the League in bringing the Convention into force. At that time, of members of the Council, only Great Britain and Salvador had ratified; since then, ratifications have been deposited by France and Poland. Thus the requirement of two permanent members is satisfied. On the face of it we have also two of the indispensable five other members. Outside of the Council we have more than the necessary three. Japan, the Netherlands, and Czechoslovakia, and perhaps others, are said to be in more or less promising stages toward ratification. There are ominous by-questions to complicate the situation. For example, with reference to Salvador—will her ratification, made while she was a non-permanent member of the Council, be valid for this purpose after her membership expires in the present year?

And if and after the Convention comes juridically into force, there is the reluctance of not a few of the States members of the League to assume the substantial and inevitably growing expense of the Central Board created by the Convention.

[1] The permanent members are now Great Britain, France, Germany, Italy, and Japan (with a place reserved for the United States). The non-permanent members are Poland, Chili, Roumania (three years); Colombia, Netherlands, China (two years); Belgium, Salvador, Czechoslovakia (one year, expiring 1927).

Corollary to that is a disposition in some quarters unfriendly to the whole business to hamstring the Board by a picayune scale of salaries. The Convention presupposes a Board of the highest degree of character and independence, as well as of exceptional technical attainments. Such persons are scarcely to be had cheaply. Not to mention the temptations for poorly-paid officials in such a job.

Evidently the Convention has still a stony road to travel.

The loopholes in the Hague Convention of 1912—to say nothing of those in the Geneva Convention of 1925 not yet in force—have been studied attentively by the manufacturers and traffickers interested in circumventing the restrictions. Out of this study, by experts of the highest chemical and legal skill, has grown up a technique of evasion and smuggling going far toward undermining the entire structure of defence. There is now the phrase, "*Chaine Duanes*", meaning in effect "shackles for the Customs". This applies to a series of derivatives not specifically mentioned in the Convention, harmless in themselves so far as habit-forming qualities are concerned, but capable of being turned by relatively simple chemical processes into "dope". Into this class falls *ecgonine*, the primary derivative from the coca-leaf; probably also the innocent-sounding "coca-extract" (which I suspect to be ecgonine itself) exported from Java,[1] and, I believe, codein. Substances not in themselves classed as habit-forming, "not liable to similar abuse and productive of like ill-effects as morphine, heroin or cocaine", are not within the scope of the Hague Convention, and therefore can lawfully pass, under undisguised labels, through the Customs. This indicates a most serious hiatus in the wall of defence. The dope business overlooks no details.

Increasingly suspicion attaches to *codein*, a secondary derivative of opium, made directly from morphine. It is not restricted under either of the Conventions. Hitherto it has not been classed as habit-forming; but many authorities regard it as on a par in all essentials with morphine. Dr. Ernest E. Walters, in his contribution on "Diarrhœas in the

[1] See p. 41 in this volume. The Geneva Convention brings ecgonine under restriction. It is not mentioned in the Hague Convention.

Tropics " to *The Practice of Medicine in the Tropics* (London, 1922), describes codein as " simply an expensive and less efficient form of opium ". The important point is that up to this date, opium for manufacture of *morphine to be made into codein* is ordinarily outside the restrictions applying to that which is to stop with the morphine stage. Once the codein is manufactured, it is relatively free to be made into its own derivatives, such as *eucodal* and *dicodid*, both of which, though as yet little known and not generally available for addiction, are habit-forming narcotics. The Health Committee of the League of Nations, in a memorandum dated June 28, 1927, deals extensively with these two new derivatives of morphine, and declares both to be substantially as dangerous as morphine itself.

Eventually, codein will have to come under the same vigilant restriction as morphine and cocaine, and the raw material from which both are made.

Remains after all the single, simple, basic fact that at least ten, perhaps fifty, possibly hundreds of times the world's legitimate need for these narcotics, is being poured out of the drug-factories. All of the producing nations are at present competing for the " market ". In the article in the *British Medical Journal* of July 16, 1927, quoted above, referring to the export of morphine from Great Britain, occurs the following luminous comment :

> Although we are assured that no export of morphine is permitted " until the Department is satisfied that it is required for legitimate purposes," it is difficult to believe that strictly medical requirements are responsible for the large consignments licensed for export when the amount of the alkaloid produced in other countries is borne in mind.

This hits the nail squarely upon its head. This is the hub of the whole matter. Nobody is really deceived about it. No elaborate study of the sources and methods of illicit traffic is necessary. Attempts to stop smuggling, while this condition persists, are simply child's-play, stamping out individual sparks in a forest fire. The only thing needed is common honesty, and the sincere application of such common sense

and energy and international co-operation as are used in fighting epidemic disease. In the ninth session of the Opium Advisory Committee, Sir John Campbell, then presiding, put the situation in a nutshell when he said in substance :

> Every person in this room knows the reason for the illicit traffic, and understands the nature of the only possible remedy. It is unjust and an entire misconception to blame the League of Nations or the Opium Advisory Committee. Neither has any power to compel sovereign nations to keep the word they already have solemnly given. There are at most fifty—perhaps not more than forty—drug factories in the whole world. By the Hague Convention the individual governments assumed definite obligation *to limit the manufacture, sale and use of these narcotic drugs to legitimate purposes*, and to co-operate in the fulfilment of these obligations. The governments have not done this. The solemn international obligations have not been fulfilled.

That is all there is to it. All of the detail presented in the pages which follow converges precisely upon this point.

"OPIUM"

CHAPTER I

NO LONGER THE OLD PROBLEM

ON its face it would seem a proposition simple enough : Opium, morphine, heroin, cocaine, hasheesh or whatnot other habit-forming drug is dangerous stuff. Its production, distribution and use should be limited and controlled so as to confine it to purposes strictly medical and scientific. Any other use obviously is an abuse to be described and proscribed as illegitimate ; to be suppressed by all the powers of Government—not only within national boundaries but internationally by Governments co-operating loyally and unselfishly for the protection of their own peoples and the welfare of mankind. As a matter of common sense, the need must be to survey the situation, to pool all available information, and in full view of the difficulties of all kinds to devise practicable methods and interlocking machinery whereby progressively to limit and as soon as possible effectively suppress the production, distribution and consumption of this dangerous stuff—save for the relatively infinitesimal quantity needed in medicine and bona fide scientific experimentation—from the initial cultivation of the original plants to the final disposal of the ultimate drugs.

But it is not so simple as that. The moment you lift

the lid of this Pandora's Box you are bewildered and suffocated by a cloud of things seemingly having little to do with the merits of the subject. Things historic, racial, social, political, economic—even religious; survivals and repercussions of old happenings, customs, policies, relationships; tariffs, taxation, budgets; brigandage, piracy, revolutions, international wars and their aftermaths; questions chemical, medical, meteorological; issues of national sovereignty; even the matter of the illicit traffic in privately manufactured arms and ammunition. One needs only to follow round the corner —not to mention underground—any of these ramifications, to be lost in the maze; anyway to realize with a sort of dismay the complexity of the factors combining and interlacing to make up "the problem of narcotics."

The apparent conflict of purpose which appeared in both of the Geneva Conferences and which for a long time will confuse council and retard progress in this matter arises from the existence and incompatibility of at least two fundamentally differing conceptions of the nature of the problem and therefore of the kind of measures local, national and international, and the degree of mutual concession and co-operation, necessary for its solution.

Formerly, "Opium" meant an exotic, Oriental vice, originating in the dim ancient past of that vague, mysterious world "East of Suez," and creeping regrettably but slowly and altogether disreputably, out into the slums, the criminal dregs, the despised and self-contained purlieus of civilization. Seen in that light, "Opium" was a matter chiefly for missionary effort at the source and among the negligible submerged, by those

who have a nose and *penchant* for that sort of thing: the foreign medical missionary, the Salvation Army and such-like; for education—a cosmically deliberate process—among the Oriental peoples. Also, to be sure, for more enlightened and less shamelessly selfish administration on the part of the Western nations which, after a long period of undisguised unscrupulous exploitation, were beginning to *camouflage* their handling of the "White Man's Burden" by at least more mellifluous phraseology; some of them to adopt a technique less brutal, more constructive, and in the end more profitable.

It is no longer like that. It is no longer the "raw" or the "prepared" opium that chiefly imperils the people of either East or West. Without in the least diminishing the effort to reduce the slavery of India, China or other Eastern countries to their own more primitive forms of addiction, we have now to face the fact that everywhere, including the Far East, those forms of the evil are giving place to a new and vastly more menacing thing, in the form of "high-tension" manufactured drugs—morphia, heroin and other derivatives of opium and cocaine. While the countries "East of Suez" continue to be the principal sources of the raw material, these drugs made from it—barring a certain quantity manufactured in Japan—do not come from the Orient. They come, in great and increasing quantities, from the expensively equipped, skilfully and scientifically conducted pharmaceutical laboratories of the "civilized" West—Great Britain, the United States, France, Holland, but chiefly from Switzerland and Germany. And despite all measures of restriction and control, despite all meticulous distinctions between "legitimate" commerce and "illegitimate" smuggling, they are spreading in all directions, seeping

in among the populations of all the countries of the world.

The Western countries and Japan have adopted legislation, in most cases drastic enough upon its face, but in action only partially effective at best, to protect their own nationals from the ravages of narcotic drugs; but the flow of the poison is now the other way—from West to East. And there stands forth the new question: *Shall we maintain, for the benefit of "civilized" pockets, and even on the ground that we are thus saving "inferior" native populations from other forms of taxation, a double standard: one for the protection of our own nationals, the other for "East of Suez"?* What may be said in defence of a policy which "saves" the natives of those Far Eastern countries from paying taxes for their governing, out of one pocket, while from the other it takes vastly greater sums by sale to them of a poison which not only depletes their power to produce either taxes or decent living, to develop their capacities and fulfil any joyous destiny, but destroys them, body and soul?

Even if there were respectable defence for it as a matter of ethics, the policy is suicidal from the point of view of Government itself. The evil is no longer localized as an affair of the submerged, of the negligible "inferior" of any class or race; in any stratum of society or continent or hemisphere. On no theory can drug-addiction, in any of its forms, be regarded as a thing of "domestic concern." As we shall see presently, it is more than probable that even in the primitive fashions of addiction of the Far East *opium plays a sinister part in making those regions—India for a special example—hot-beds of the infectious diseases which at times spread out all over the world.* The thing has become a vivid menace to all

humanity, and the whole world must grapple with it as a matter of mere self-preservation.

The basic point of view must be altered. This is no longer a missionary question; still less is it mainly a commercial question. There must come a realization of *the changed nature of the situation confronting the world in* 1925; its contrast with that of the period closing with the formulation of the "Hague Convention of 1912"; an appreciation of the fact that both strategy and weapons must be adapted to new conditions. Also that with the adoption of that convention by virtue of its inclusion *ipso facto* in the peace treaties closing the Great War, a new kind of national and international obligation and common responsibility have been assumed.

Fifty years ago—even twenty—it might perhaps have been sufficient to discuss as a question of ethics and practical administration whether opium, coca-leaves, or even manufactured drugs could be produced in a country, complacently used in accordance with ancient domestic customs and moral standards (however much to the detriment of its own inhabitants), and made a source of Government revenue, without endangering the inhabitants of other countries.

From this point of view the local customs and habits were of purely local concern. If a nation saw fit to saturate itself—even including its babies—with narcotics of any kind, it was nobody else's business. Let each Government meet as it saw fit, and could, its own problems of health and behaviour—and revenue. So far as the rest of the world was concerned it was quite sufficient —going a long way indeed—if the individual Government

undertook to see to it that the opium which it produced (in quantities to suit its own discretion) went to supply only its own people, and was exported to such other countries only as should certify that they wanted it.

This view of the matter—and it is essentially the view registered in the Hague Convention of 1912—leaves it to each nation for itself to control within its own borders and possessions the production of the basic crops and raw materials ; to limit import and consumption and the manufacturing of derivative alkaloids as well as internal transport and sale ; and as regards export to insist rigorously upon impeccable authentic official " import certificates " from those other countries which say they want the stuff ; to prohibit altogether export to those which declare that they want none.

This point of view serves as justification for the idea underlying for instance the statement of an exceedingly humanitarian Englishman, quoted in a letter recently received by the present writer, as follows :

> In India, for example, the natives are to a large extent dependent upon the culture of the poppy for their livelihood. Sweep away that and . . . you take away the people's means of living. It would be analogous to a decree declaring that the Canadian farmer should no longer raise wheat !

Well, let us waive for the moment the fact that while this statement might apply to Persia, Turkey and Jugo-Slavia, it does not apply to India—certainly not to British India, where[1] the Indian Government subsidizes the poppy crop by *loans without interest*, sometimes even goes out of its way to induce farmers to " engage for

[1] As one may learn from the *India Year Book* for 1924, p. 823.

poppy," and is the sole purchaser of the resulting crops, at prices which it fixes itself. Waive also the fact that, as we shall see presently, officials in British India speak of wheat as "the competing crop." Assume the statement to be true . . . what if, instead of wheat, a necessary food of the world, the farmers of Canada, or any other country, were raising great crops of rattlesnakes or typhus germs! Suppose, moreover, that these delectable staples (to whose injurious effects their own Government declared them immune by reason of immemorial addiction and customary tolerance) were being raised in quantities so far beyond any possible, even pseudo-legitimate, demand that of bare economic necessity they must find or create outside markets for them—to say nothing of the inevitable leakage over the national borders.

Suppose, if you like, that the world actually needed for legitimate medical and scientific purposes a relatively infinitesimal quantity of rattlesnakes or typhus serum, and that every country which could produce them was greedily competing for the entire "market," and meanwhile producing them without stint or substantial control. Then you would have something like a parallel. How long would the public opinion of the world accept the idea that this cheerful industry was the private affair of the producing country, or have patience with or pity for the farmers whose livelihood was dependent upon it?

The very existence of the Hague Convention, and of the Geneva Conferences designed to strengthen it by however little, is indication that the world is slowly awakening from the lethargy involved in this earlier point of view. It has begun to see that the production of these poisons, whether as raw material or as manufactured derivatives, is not an exclusively private affair;

at least it must be apologized for and the world made to believe it is being controlled. It has begun to see, too, that these things cannot be allowed to drift about subject to ordinary hit-or-miss supply-and-demand, like potatoes or tinware; that it is not adequate to handle them by means of good-natured, platitudinous declarations of intention to be observed if and when and how it is convenient and profitable. In a degree far beyond that conceived in the period before the Hague Convention it has become *international business* of the most urgent character, for the same reason that the protection by some religious sects of plague-infected rats has become more than a local affair.

The old, obsolete form of the problem has merged into and become a much wider and more difficult one, of the international aspect of this question—that of how to protect the inhabitants of all countries, of *the world as a whole*, by common knowledge, common understanding of purpose, and thoroughly unified endeavour, with all the necessary sacrifices and contribution of individual concession on the part of each. We have reached in the war against narcotics a stage analagous to that in the Great War, when separate interest, separate judgment, separate action must give way to unity of policy.

Whether on a train in America, at a railroad station in France or Sweden, in a chemist's shop in London or Tokio; in China, India, Macao, Java, or on a ship from Marseilles or Bushire in the Persian Gulf, a consignment of raw opium, or drugs, like a man with cholera or bubonic plague, is no more the private affair of an exporter, a smuggler, or a particular Government than a person with smallpox in a New York tenement house is the private affair of himself and his family.

It is a cardinal mistake to suppose that the battle-line is where it was in January, 1912, when the Hague Convention was produced. It is far in the rear of the firing-line of those days. We are no longer trying to defend the frontier of Belgium ; we are as it were at the Marne, and there have been no retarding battles in the swift retreat. Especially during the World War the campaign has been going almost by default. Here and there outposts, even considerable sectors, are trying, mostly with obsolete weapons and old tactics, to stem the tide ; but it has swept, and is sweeping, round their flanks, and taking them in the rear.

CHAPTER II

A GLANCE AT THE HISTORY OF IT

NARCOTIC addiction is no new thing in the world. The story of the poppy as the source of opium, and of the coca-leaf, the " divine plant " of the Incas of Peru and the Indians of the Cordilleras of the South American Andes, goes back into the dimmest recesses of antiquity. The use of these things for mere sensual delight always has received the disapprobation of the judicious, and it is quite impossible to fix any date as marking the beginning of efforts to eradicate it. It is unnecessary to devote much space here to the ancient history of this subject. The thing to note is that the modern phase of it; its growth into the dimensions of a world-menace, is parallel with, and may be regarded as substantially the product of, the white man's exploitation of other races, the white man's invention and science; the white man's organization of the world for the financially profitable ends of " business." What Mahatma Ghandi said recently of the India Government may be said as truly of other governments having authority in the Far East:

" It will be no defence to urge that the vice has existed in India from time immemorial. No one organized the vice, as the present Government has, for purposes of revenue."

The white man's conscience never has been clear about it; the foreshadowings of a Nemesis have troubled his most prosperous occasions.

Warren Hastings, who was in India in the days of the East India Company, as long ago as 1788, declared opium to be "a pernicious article of luxury, which ought not to be permitted but for the purpose of foreign commerce only." In 1817 the Directors of the East India Company itself wrote from Calcutta that "if it were possible to prevent the use of the drug altogether, except strictly for the purpose of medicine, we would gladly do it in compassion to mankind."

As early as 1832 a committee of the British Parliament reported that the revenue from opium "could not be abandoned without seriously impeding the development of the country"; but the important fact is that such a report indicates the previous existence of a considerable movement of British protest. There was thereafter constant and increasingly urgent recurrence of the subject in Parliament—always with the inference that the thing was an evil; never any defence except that it was an unavoidable, a necessary evil.

In 1843, just after the British Empire had forced open the gates of China for the British opium smugglers and secured for them $6,000,000 of indemnity for opium seized and destroyed by the Chinese Government, Lord Ashley offered in Parliament a resolution to the effect that the continuance of the opium monopoly and trade was "utterly inconsistent with the honour and duties of a Christian kingdom."

In 1874 was organized the British Society for the Suppression of the Opium Trade. Lord Shaftesbury was the first president. In 1875 it was moved in the House of Commons by Sir Mark Stewart that His Majesty's Government should carefully consider "with a view to the gradual withdrawal of the Government of India from

the cultivation and manufacture of opium." In 1891 there was for the first time an actual majority in the House for an anti-opium resolution, which averred that "the system by which the Indian opium is raised is morally indefensible." And in 1892 the Secretary of State for India declared that the policy of the India Government had as one of its objects, "checking and limiting the habit amongst the people of consuming licensed opium, as far as is possible without driving them to smuggling or to the use of harmful narcotics."

The next year saw the appointment of the famous "Royal Commission of 1893," to whose report of 1895 we shall make more detailed reference subsequently. That report was, and to a great extent still is, an opiate for the British conscience. Nevertheless, its slumber has been troubled, and its stirrings now are accentuated by a new stimulant. It begins to look as if the work of conscience would be spurred by Fear!

It is significant that the argument of all the Western nations which still exploit the East carries with it the inference of confession and avoidance: Opium is dangerous stuff and ought to be brought within the limited and diminishing requirements of science; but . . . anything immediate is impracticable. *If we don't sell it, somebody else will. Besides, we need the money!* If we abandon this source of revenue we shall have to lay new taxes, which will fall not only upon the opium addicts but upon irritable folk not prepared to accept the sacrifice for their fellows. Who knows what they might do about it? This is no time to be rocking political boats in the Far East. Plausible enough, perhaps, but there is reason to believe that the intelligent people of the Far East, including especially India and China,

are not so devoted to opium as their white brethren affect to believe.

The United States acquired a direct contact with the Far Eastern opium problem with the cession of the Philippine Islands by Spain after the war of 1898, and for a time made the vice a source of revenue ; but within a few years took drastic prohibitory action—so far as legislation went ; wrote off an annual income of half a million dollars and took on at least as much again in additional expense for enforcement. The effectiveness of the enforcement is a matter of dispute : one need only look at the enormous coast-line of those islands, and reflect upon the present struggle to keep liquor out of the United States itself, to have his doubts. But at any rate it may be said that there is no deliberate governmental policy of deriving revenue from the vice. Already within her own borders America was acquainted with the smoking of opium by Chinese and degenerate whites ; already the evil of addiction to manufactured narcotics was raising its malignant head.

In 1906 Dr. Hamilton Wright, for many years the implacable foe of opium in the Far East, and under his inspiration the Rt. Rev. Charles H. Brent, now Protestant Episcopal Bishop of Western New York, but then Missionary Bishop of the Philippine Islands, inspired President Roosevelt to move for international action. Previous to that there had been an increasing missionary movement against opium, especially in England. The time was ripe. Even so long ago, the doom of " Opium " was ringing, as that of slavery had rung a half-century and more before.

Largely as a result of Mr. Roosevelt's initiative an International Opium Commission met in 1909 at Shanghai, at which were represented Austria-Hungary, China, France, Germany, the British Empire, Italy, Japan, the Netherlands, Persia, Portugal, Imperial Russia, Siam and the United States of America—all countries concerned in one way or another with the raising of the opium-poppy and the manufacture and use of opium products. Turkey, which raised and to some extent consumed opium, was invited but did not attend.

If one would realize the degree of progress made to this day in the struggle to free the world of this affliction —if only in respect of the growing revolt of conscience and the education of public opinion—it is necessary only to read the proceedings of that Conference, in which sordid politics and cynical commercial greed were rampant. We have not time now for details of that.

There was no formal treaty as the result of this meeting, but its deliberations led to an International Conference three years later, in January, 1912, at the Hague—likewise convened upon the initiative of the United States—at which were present delegates from Germany, United States, China, France, British Empire, Italy, Japan, Netherlands, Persia, Portugal, Russia, Siam, all of whom signed the treaty then adopted, which is now known as the "Hague Convention of 1912," and which constitutes the foundation of all present-day international action on the subject, as well as of most of the legislation and administrative regulations enacted by the nations severally.[1]

It is easy to cavil at that convention. The account of

[1] The text of the Hague Convention is given in this volume, Appendix A, p. 255.

the proceedings displays the usual reluctance of governments generally to tamper with a *status quo*, especially if it involves any source of revenue. It is pretty sordid reading. But it proved on the whole that there is such a thing as world-conscience, and such a thing as decent public opinion. With all its shortcomings, with all of its evidences of " pussy-footing " and evasion and compromise between world-altruism and commercial interests, between conscience and expediency, the Hague Convention was at least an acknowledgment by the group of nations which call themselves " great " that the problem of narcotics is international—a charge upon the whole world's common sense and common responsibility. It was more than a stirring in sleep ; it was the beginning of being awake. It would be straining words to call it, as some do, " a great step in advance."

The Hague Convention defined " raw " and " prepared " opium, " medicinal drugs " derived from opium and the coca-leaf ; provided timidly for a certain degree of restriction and vigilance in distribution, and for the " gradual and effective "—implying the eventual total—suppression of opium *smoking* in Far Eastern countries and possessions, and prescribed measures ostensibly designed to limit the manufacture of drugs to medical and scientific needs, and to control international traffic in both opium and manufactured drugs, together with certain special, even if perfunctory, provisions intended to assist China in her own struggle with illegal production of opium.

One of the extraordinary things about the Hague Convention was its provision for a most obscure and

cumbrous method for bringing it into force; that necessitated two more conferences—in 1913 and 1914—the last, in June, adopting a "protocol of cloture," by virtue of which the Convention was to be in force, as regards those nations which should then have signed it, on December 31, 1914, and at the date of signature as regards those signing it thereafter.

At the time of the final conference in June, 1914, only eleven nations had ratified the Convention. In the order of ratification:

1913. Denmark, Siam, Guatemala, Honduras, Venezuela, United States of America, Portugal.
1914. China, Sweden, Belgium, Italy.

Great Britain and the Netherlands ratified in July, immediately following the last Conference.

By the prescribed 31st December, and for five years and more thereafter, the whole world was plunged in the turmoil and aftermath of a war which sooner or later swept into its horrors and preoccupations directly or indirectly every nation concerned in the subject-matter of the Convention. The narcotic problem—if they thought of it at all—seemed the least of their troubles. So far as international interest or action was concerned, the war against narcotics took its place with the war against original sin. It came to a standstill, and that, as in all such warfare, meant not standing still but retrogression.

The widespread use of morphine and cocaine as anodynes against human agony, and, still worse, as a means of mental relief from the deadly despairs and fears, disgusts and monotonies of war, turned loose at the end many uncured and more or less incurable addicts to continue and spread their addiction. To spread—for one

of the awful concomitants of this vice is a kind of perverted missionary impulse to propagate itself by making new addicts; quite apart from and in addition to the motive of gain by selling the stuff to them.

"Opium" did not stand still, or lose any ground during the world war. Very far from it. Opium and its even more deadly allies, the manufactured drugs, accelerated their activities in all directions. "Opium" has no conscience and acknowledges no flag. It masquerades in many guises—among them those of "medical necessity," "business interest," and "national sovereignty"; but it knows no patriotism, save as it understands all too well, and doggedly obstructs, that really protective patriotism which is its enemy.

In order to be able to assess approximately the degree of enthusiasm of the nations for this warfare against narcotics and the extent to which since 1912 they have been committed—whether they realized and acknowledged it or not—at least to the modest principles of the Hague Convention, it is worth while to classify them still further with regard to their promptitude in ratifying it. As we have seen, only eleven states, including but five of the original signatories, had ratified before the final conference was held in June, 1914; two more ratifying in the following month, before the outbreak of the world war. Nicaragua and Norway ratified in November, and Brazil in December. Thus, under the terms of the "protocol of cloture" of June, 1914, the 31st of December found the convention lacking the ratification or other confirmatory action of a very important four of the original signatories—France, Japan,

Persia and Russia. France and Japan are brought in by the Versailles Treaty, Persia and Russia never have ratified at all. Germany accepted it, so to say, at the cannon's mouth.

Furthermore, the really effective action—that of signing the "protocol of signature," closing the record of acceptance—was taken prior to the operation of the Versailles Treaty only by the following :

1915. China, United States of America, the Netherlands, Honduras, Norway.
1919. Belgium, Luxemburg.

Through the initiative of certain leaders in the old anti-opium warfare there was inserted in the Versailles Treaty of Peace with Germany—and subsequently into the other peace treaties which closed the war with Germany's allies—a provision automatically bringing the Hague convention into force for each of the signatories of those treaties. The text of Article 295 of the Versailles Treaty of Peace with Germany reads as follows :

> Those of the High Contracting parties who have not yet signed, or who have signed, but not yet ratified, the Opium Convention signed at The Hague on January 23rd, 1912, agree to bring the said Convention into force, and for this purpose to enact the necessary legislation without delay and in any case within a period of twelve months from the coming into force of the present Treaty.
>
> Furthermore, they agree that ratification of the present Treaty should, in the case of the Powers which have not yet ratified the Opium Convention, be deemed in all respects equivalent to the ratification of that Convention and to the signature of the Special Protocol which was opened at The Hague in accordance with the resolutions adopted at the Third Opium Conference in 1914 for bringing the said Convention into force.

This device brought Germany, Austria, Hungary and Bulgaria in as it were " by the neck." And it brought in automatically all the willing signers of the Peace Treaties; but did not affect the neutrals. Denmark (with Iceland) and Spain ratified in 1921, Finland and Luxemburg in 1922, Chile and Ecuador in 1923, Colombia in 1924. Switzerland, after a hard struggle under her cumbrous method of referendum, and despite the bitter opposition of the drug interests, completed her ratification in January, 1925, while the Second Opium Conference was in session at Geneva, with her delegation doing its best to restrain any further interference with those interests.

States which in August, 1925, had not yet ratified the Hague Convention of 1912 include:

Abyssinia, Afghanistan, Andorra, Argentine Republic, Australia, Canada, Irish Free State, New Zealand, South Africa, Native States of India, Liechtenstein, Lithuania, Paraguay, Persia, Russia, San Marino, Turkey.

Furthermore, there is a hazy condition with regard to many important territories. For example, Spain takes the position that its colonies, such as Fernando Po, Spanish Guinea and Spanish Morocco, are not separately bound by the convention. If they are bound at all, it is as included under the Spanish ratification. One effect of that theory is that any importation of drugs into Spain and thence transported, say, to Spanish Morocco, would be *still in Spain*, a matter of internal distribution, and not a matter of international concern, however open the door for smuggling out from those territories. If these colonies are altogether unaffected by the Convention it greatly undermines Spain's co-operation.

Another somewhat indefinite situation exists with reference to the former German territories administered under Mandates. The "A" and "B" Mandates, covering respectively Syria and the Lebanon and Palestine, and the Cameroons, Togoland, Tanganyika Territory and Ruanda-Urundi in Africa would seem to be protected by provisions and action taken under them specifically mentioning and applying past and future conventions on the subject of the traffic in drugs. But the "C" Mandates, covering South-West Africa, New Guinea, Western Samoa, Nauru and the Pacific Islands north of the Equator, contain no relevant provisions. The local authorities have, however, issued proclamations specific in varying degrees, generally aimed at the prohibition or control of narcotics. The regulation in British Togoland would seem to permit the importation of any patent or proprietary narcotic "medicine," regardless of its ingredients. In South-West Africa there appear to be no special regulations on the subject. In New Guinea, complete prohibition applies alike to liquor, opium and firearms. The Japanese in the South Sea Islands forthwith established complete prohibition. It would appear that except for smuggling of "prepared" opium for smoking by the Chinese, the evil in most of these colonies is not opium derivatives or cocaine, but the products of Indian hemp, hasheesh and "bhang." The question of reasonably uniform regulations, and uniform responsibility, in all the mandated territories is a matter to which the Assembly and Council of the League of Nations might well devote some definite attention, not alone for the sake of the natives, but because those territories offer special opportunities as bases for the smuggling trade.

The Covenant of the League of Nations entrusted to the League the duty of acting generally as a channel of communication among the nations and supervising the execution of agreements such as the Hague Convention, which previously had imposed this duty, so far as that particular agreement was concerned, upon the government of the Netherlands. Beside which, Holland asked to be relieved of the duty.

By virtue of this, the First Assembly, in December, 1920, empowered the Council to take the matter in hand. Nobody seems to have had any clear idea as to what should be done, much less any forebodings about the troubles involved in the responsibility thus "wished" upon the League of Nations by the perplexed and weary members of the Peace Conference.

The Council proceeded forthwith to constitute an "Advisory Committee on the Traffic in Opium and Other Dangerous Drugs." That Committee has been active ever since, assisted by an extremely well-informed, vigilant and competent "Opium Section" in the division of the League Secretariat devoted to social and humanitarian matters.

At first the "Opium Advisory Committee," as it is usually called, represented only Great Britain, France, Holland, Japan, Portugal, India, China and Siam—all members of the League and located or having possessions in the Far East. Later were added representatives of Germany and Jugo-Slavia, and the United States sent a delegation to serve in a "consultative" capacity. In 1925, after the Geneva opium conferences, Bolivia was invited to name a member, in view no doubt of her interest in the production of the coca-leaf, raw material of cocaine.

In addition, the Committee has had as "assessors" (persons regarded as peculiarly familiar with the problem)

Sir John Jordan, for fifty years identified with the British diplomatic service in the Far East and fifteen years British Minister at Peking; Mrs. Hamilton Wright, widow and successor in devoted, enthusiastic and self-sacrificing service in this cause of Dr. Hamilton Wright, the valiant American pioneer warrior against opium, and M. Henri Brenier of the French Customs Service, long in Indo-China, chairman of the Drafting Committee of the Hague Opium Conference of 1912, and particularly well-informed with regard to all phases of the narcotic problem.

Naturally, the nations nominated for the Opium Advisory Committee would, and did, select for its personnel persons presumed by their experience to be especially well-informed upon the subject. Certain leading members of this Committee have been so influential in its work, and probably will be so influential in the future, as they were in the two conferences at Geneva, that it is worth while to know them.

Outstanding among them is Sir Malcolm Delevingne, Assistant Under-Secretary for Home Affairs in the British Government, and unquestionably dominating in its policy on this subject. He has earned a conspicuous place in the warfare against narcotics in Great Britain by a brave, impartial and dogged enforcement of the British Dangerous Drugs Act of 1920 (passed in compliance with the obligations recognized under the Hague Convention brought into force in that year under the peace treaties.) He has made himself highly obnoxious to the traffickers in narcotics. Sir Malcolm never has been in the Far East, and while he is familiar with every phase of the opium policy of Great Britain, his special interest is in drugs and the prevention of their abuse in and smuggling into his homeland. Like others of his

countrymen, he regards the question of opium production and consumption in India as an internal affair of that Government, and opium-smoking as a separate, more or less subordinate, and possibly insoluble problem of the Far East. He was in large degree responsible for making the " prepared " opium devoted exclusively to that use, the subject of a separate conference. While his sincerity, devotion and constructive attitude in the warfare against narcotics are above suspicion, he is plainly not oblivious to the fact that Great Britain has an important export trade therein, and has a lawful right to conserve it while at the same time protecting itself against the nefarious product of other countries. To him the primary desideratum in any event is to suppress the illicit traffic in drugs.

Scarcely less conspicuous and influential in the Advisory Committee has been Mr. John Campbell,[1] long an outstanding factotum of the India Government's opium policy, particularly active in its propaganda in defence of that policy. He was for nearly thirty years in the Indian Civil Service in various capacities, including those of the Municipal Board of Cawnpore and local magistrate. He is now retired therefrom. His is not a diplomatic temperament; his manner and attitude—whatever the merits of his contentions—almost invariably enraged his opponents, particularly the Americans and the Chinese, and agreement between him and them on any subject has been exceedingly rare. After the mid-winter recess of the Geneva Conferences—he was a member for India in both—he was for some reason not announced withdrawn from both, and returned to his post in Greece as a member of the League of Nations Commission assisting in the repatriation of the Greeks from Turkey.

[1] Now Sir John Campbell—knighted in June, 1925.

W. G. Van Wettum, who was President of the first conference at Geneva, was a member for the Netherlands in the Hague Conference of 1912. His experience with the opium business has been extensive ; he was for many years Inspector of the Dutch opium monopoly in Java. He is of a highly conservative temperament, responding negatively to the urgency of reformers and idealists and very positively to any Dutch commercial interest ; the vigilant sentinel against encroachment either upon the drug manufactures and exports of Holland or the flourishing business of exporting coca-leaves from the Dutch possessions in Java.

G. Bourgois, second and most active delegate for France in both Geneva conferences, was at the Hague for France in 1912, and has been from the outset extremely influential in the Advisory Committee. He is attached to the French Foreign Office, but was for many years identified with the French interests in the Far East, in Japan and Indo-China.

His Excellency A. M. Bartholomeu Ferreira, Portuguese Minister at Berne, also was at the Hague in 1912. He is very much alive to the fact that the Government of Macao, Portugal's tiny colony across the harbour from Hong Kong and at the doorway to Canton, supports itself by the revenue from opium, gambling and other vices. Is not Macao " the Monte Carlo of the Far East " ? If he had lacked anything in appreciation of these points, he was supported in both conferences by the presence of Dr. Rodrigo Rodriguez, the Governor of Macao.

All of these men—I purposely omit, as occupying other points of view, and less experienced, the representatives of the other nations on the Advisory Committee—are extremely well posted about the opium situation, especi-

ally in the Far East, and are at the same time (I am not imputing necessarily any improper motives, personal or official, to any of them) vigilant in their watchfulness of the business and political interests of their respective nations. More than that, it must always be remembered that each, whatever his personal opinions, is sharply circumscribed by instructions from his government. Without endorsing Mr. Porter's blunt and tactless characterization of this group in the second conference as "the Opium Bloc," one may without great injustice regard as on the whole not inappropriate the description of them by someone during the first conference as "the bodyguard of the *status quo*."

Of the American participants in the work of the Advisory Committee, Stephen G. Porter of Pittsburgh is Chairman of the Committee on Foreign Affairs of the House of Representatives. He has come to something of the crusader's state of mind on the subject of opium; but evidently the emphasis of his interest is upon the production of the raw material and the failure of the European nations to accept responsibility for their subjects in the Far East in the same degree as for those in their homelands; upon the necessity of the abandonment of these things as a source of revenue, and upon the important part which attitude on this subject plays and still more will play in the relations between the Western and the Oriental peoples. The defects in Mr. Porter's attitude in this affair in my judgment have been of two kinds: first, a congenital absence of personal tact and imagination in dealing with European psychology; and second, a failure to realize that in international relations it is impossible to accomplish more than the *minimum* represented by the least common

denominator. An international conference is not a political convention in which majority rules; no sovereign nation can be forced to accept the judgment of a roll-call.

Bishop Brent made his acquaintance with opium during his many years of missionary service in the Philippines, beginning in 1901. As we have seen, it is largely due to his initiative that we owe the enlistment of the United States in the international war against opium. He has represented the United States in all of its participation therein. He was President of the International Opium Commission at Shanghai in 1909, a delegate to the Hague Conference in 1912, and to the second Geneva conference in 1924. His point of view is, and doubtless will continue to be, missionary, and vocal with idealistic zeal at every stage. He is the uncompromising enemy of compromise. To him this question is a moral question; he is scornful toward every suggestion of expediency.

Dr. Rupert Blue, formerly Surgeon-General of the United States, is primarily a sanitarian. His interest in this subject is that of a medical man who has had personal experience with the victims of drug addiction. In every angle of it his attitude is that of a destroyer *à outrance*.

Very much the same is the attitude of the other Americans associated with the Committee: Mrs. Wright and Edwin L. Neville, the latter probably the best-informed technically, who recently has become secretary of the United States legation at Tokio.

Whatever the peculiarities and limitations of its personnel, the value of the work of the Advisory Committee thus far hardly can be exaggerated. If nothing else, it has disclosed the appallingly complex and difficult nature of the task before the world. But it has done much else. Already it has brought about, with the co-operation of

other organs of the League of Nations Secretariat and with the approval of the Council, certain concrete, even if inadequate, steps in the direction of control of the narcotic traffic, by means of a system of licences, import certificates and other details of customs procedure. Especially it has originated the first attempt to ascertain the world's requirements in opium and drugs. To it will be owing—if and when actually established—the system of exchange of information through the proposed Permanent Central Board (of which more later), regarding each nation's legitimate needs of raw material and drugs, as a basis for co-operative control of production and export. Furthermore, by almost continuous public discussion it has clarified and organized a body of information from almost every angle of approach.

It might be argued that the League of Nations could have gone much farther than it did under the action of the First Assembly. It might perhaps have established forthwith such a Central Board as is now provided for in the new drug convention adopted at Geneva in February, 1925. It might have given such, or greater, powers to the Advisory Committee. But that would have been going too fast, as witness the vicissitudes of the 1924 Protocol for the Pacific Settlement of International Disputes! We have still far to go before the nations will forget their imaginary political and business interests in these matters. Anyway, let us look at the facts as they stand.

In May, 1923, the Opium Advisory Committee received from its American delegation, and adopted as its own

(with the reservations described below), the following declaration as to the intent and spirit of the Hague Convention:

> 1. If the purpose of the Hague Convention is to be achieved according to its spirit and true intent, it must be recognized that *the use of opium products for other than medical and scientific purposes is an abuse and not legitimate.*[1]
>
> 2. In order to prevent the abuse of these products it is necessary to exercise the control of the production of raw opium in such a manner *that there will be no surplus available for non-medical and non-scientific purposes.*

In adopting this declaration, all of the nations represented, except China and India, made reservations virtually excepting from it the smoking of opium in the Far East. The United States delegation, however, declared that it interpreted this reservation as merely a reaffirmation of Chapter II of the Hague Convention, which in effect recognizes that the practice in those regions can be suppressed only "gradually."

The delegate for India (Mr. John Campbell) made for that Government a more significant reservation, having reference to the Indian habit of *eating* opium. He recorded the proviso that:

> The use of raw opium, according to the established practice in India, and its production for such use, are not illegitimate under the Convention.

Concerning this reservation the American delegation made no official comment.

The report of the Opium Advisory Committee came before the Assembly of the League of Nations in Septem-

[1] The italics are mine.—J. P. G.

ber, 1923, and was discussed in detail by the Fifth Committee of that body. Upon that Committee's recommendation the Assembly adopted a series of resolutions, the effect of which in general was to adopt the report and recommendations of the Opium Advisory Committee and to direct the Council of the League to provide for two International Conferences :

> The *first* to seek measures to effectuate the provisions of Chapter II of the Hague Convention—dealing with the subject of the use of " prepared " opium in those Far Eastern countries and possessions where opium *smoking* is still " temporarily " lawful under that chapter, and further to assist China in suppressing the illegal production of opium.
>
> The *second* to endeavour to find agreement as to the limitation of the manufacture of the dangerous drugs, and of the production for export and likewise the import, of " raw " opium and the coca-leaf for such manufacture—" *as a means of giving effect to the principles submitted by the representatives of the United States of America, and to the policy which the League, on the recommendation of the Advisory Committee, has adopted.*"

In accordance with these resolutions, the Council called the two Conferences, which were held at Geneva in immediate succession, beginning respectively on the 3rd and 17th of November, 1924.

CHAPTER III

SOME BASIC FACTORS

FOR anything like a clear understanding of "Opium" it is essential to have in the mental background, not only the historical essentials summarized in the preceding chapter, but certain facts and details of a somewhat special character, each presenting a problem in itself, but all inextricably interwoven. One must know to begin with, in at least a general way, something of the various narcotic substances which we have chosen to group under the generic title "Opium,[1]" although not all of them are derived from the opium-poppy. One must know something of the part that revenue and its attendant political phenomena play in augmenting the difficulty of the situation. One must have some idea of the conditions in India and China which are and always have been major factors in this tangled business.

I. Of *Opium itself*—three distinct phases :

(1) *Raw Opium*—primary product of the poppy-plant—*papaver somniferum L.* The spontaneously-coagulated juice or gum obtained by slitting or lancing the unripe seed-pods or capsules at the base of the blossom, and subjected to but the simplest manipulation—blending and wrapping in several thicknesses of the dried petals, in balls of the size of two fists, to prepare it for packing and transport.

Poppies will grow almost anywhere, but commercially profitable cultivation requires not only favourable soil and

climate, but especially *cheap labour*, because slitting the pods and gathering the exuded sap, while not laborious, are time-consuming processes performed entirely by hand and requiring little intelligence or skill. Poppies are grown for opium upon a considerable scale in Persia, Turkey,[1] India and China ; to a lesser extent in Turkestan, Afghanistan, Siberia, Serbia, Macedonia, Bulgaria, Greece and Egypt ; with negligible production in Siam, Chosen (Korea), Indo-China and a few other regions.

" Raw " opium is the ordinary " opium " of commerce, and as such is exported from the producing countries. From this primary material are made both the " prepared " opium used only for smoking, and the drug-derivatives, medicinal opium, morphine, heroin and codein. " Raw " opium is the subject of Chapter I of the Hague Convention of 1912. Furthermore, it is " raw " opium which, simply rolled into pellets, is eaten, or, dissolved in liquid, is drunk, by an overwhelming proportion of the people, and commonly given to the infants, of India. This practice must be carefully distinguished from that of the *smoking* of opium.

> (2) *Prepared Opium*, used exclusively for smoking, is the " raw " opium, subjected to relatively simple processes of cooking and fermentation to fit it for that use only. It is of the consistency of thick molasses (treacle) or glue.

Opium smoking is to a great extent the vice of the Chinese, in China and elsewhere, especially in the Far East ; but it is practised to some extent in Persia, Turkey,

[1] It must be remembered that the poppy is used for purposes other than opium. In Turkey, for example, where opium-smoking is not prevalent, the oil from the seed is used by the peasants in lamps, and also for food and butter, and for soap. In other countries it is used like olive-oil, for cooking.

Burma and other countries by other than Chinese, and by a small proportion of degenerate white persons all over the world who can manage to get hold of the necessary "prepared" opium. Opium is not *smoked* to any considerable extent in India except in Burma, and even there almost exclusively by Chinese. "Prepared" opium is the subject of Chapter II of the Hague Convention, and to it exclusively was devoted the so-called "First Opium Conference" at Geneva in 1924–5, immediately in advance of the "Second," which was devoted chiefly to the subject of drugs. The withdrawal of the American delegation was due especially to their failure to induce the Second Conference to take up the subject of "prepared" opium, in view of their dissatisfaction with the results of the First, in which the United States did not participate.

> (3) *Opium Derivatives—Drugs.* This may be taken to mean *medicinal opium*, tincture, powder, laudanum, etc.; *morphine*, the principal alkaloid of opium; *heroin*, the trade name of diacetylmorphine, made from morphine. Codein, also made from morphine, while a narcotic poison, is not at present generally regarded as habit-forming, and was not included within the restrictions of either the Hague Convention or the Convention adopted by the Second Geneva Conference. Nevertheless from codein may be derived two as yet little-known habit-forming drugs, *eucodal* and *dicodid*.

All of these substances differ really from opium, either "raw" or "prepared" only in that they are the *concentrated* morphia essence of the poppy. Morphia is morphia, in all of them, but the percentage of morphia is of course very much higher in the drugs than in the simpler forms of opium.

II. Of *Cocaine :*

Cocaine is not derived from the poppy-plant, or from opium at all, but from the leaves of the coca-shrub, *Erythroxylon,* of various species, growing wild or cultivated, or both, in various parts of the world ; notably in Peru and Bolivia where they seem to have originated, and in Dutch Java, to which they were transplanted.

There is also, and increasingly, *synthetic cocaine,* made artificially, which may or may not be commercially profitable as a substitute, and may or may not prove as habit-forming as the product of the natural leaves.

The South American Indians, in their native Cordilleras and in the labour gangs of Chile, Argentine and elsewhere in South America, chew the leaves, green or dried, solely because of their intoxicating " virtues," as their fathers have done from the remotest times ; and the dried leaves are sold more or less surreptitiously for their narcotic effects in other parts of the world. But the manufacture of the alkaloid (drug) cocaine requires an elaborate chemical process, carried on in the pharmaceutical laboratories of Europe, America and Japan. Generally speaking, only the coca-leaves, or at most the primary extract therefrom, are exported from the countries which grow the shrub.

III. Of *Indian Hemp :*

Under various names—hasheesh, esrar, chiras, djamba, bhang, etc.—the products of *Cannabis sativa L.* are used as narcotics. They are made from a resin or gum derived from the flowering or fruiting tops of the pistillate (female) plant.

The final protocol of the Hague Convention of 1912 suggested the desirability of attention to Indian Hemp, implying the probability that internal legislation and international agreement on the subject would become

necessary. Turkey and Egypt both raised the question in the Second Conference at Geneva, and appealed successfully to have the narcotic products of hemp covered by the new Convention. Any suppression or restriction of cultivation of the hemp plant is complicated, however, by the fact that the tough fibres of its stalk are used for various purposes, including the making of rope and twine.

All these substances are characterized by the effects—not merely narcotic, but *habit-forming and physically and mentally destructive*—concerning which, with reference especially to opium and cocaine, the London *Times* of April 7, 1923, aptly said :

> In all countries with European civilization, there are no two opinions as to the physical and moral ruin wrought by the consumption of these so-called " drugs of addiction."

There is, of course, a legitimate use for narcotic drugs —although the word " legitimate," as used in the Hague Convention and other documents and utterances in connection with this question, has been severely stretched, so as to cover, for instance, the ancient and widespread practice in India of *eating* and *drinking* " raw " opium, and the " temporarily permitted " smoking of " prepared " opium in other Oriental countries. One may observe at all the critical points what Mr. Roosevelt used to call " weasel words " and phrases, sucking the virility out of otherwise definite pledges and prohibitions. The present writer's use of the word " legitimate " means the uses of bona fide medicine and bona fide scientific experimentation. Any use not medical or scientific means *addiction* in some degree. In this restricted sense, the " legitimate " use is diminishing, because increasingly the medical profession doubts its wisdom and dreads its after-effects, and is diligently searching for anæsthetics and

anodynes of other sorts, natural and synthetic. No argument is really necessary to enforce that point, or to support the statement that outside of that use, nobody has any business with opium, codein, cocaine—much less with heroin and the hemp-preparations (particularly the latter), which reputable medicine has repudiated as having no medical value commensurate with the harm they do. And as for the hypodermic syringe or needle—the mere possession of it by a layman is *prima facie* evidence of addiction.

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Not until recently has there been available any authoritative or even approximate estimate of the amounts of raw opium and cocaine required for the medical and scientific needs of the world. This is a question which has perplexed those interested in the subject of narcotics from any point of view. The Health Committee of the League of Nations, the Opium Advisory Committee, a mixed sub-committee representing both of these, and the Commission of Experts ("Committee F") of the Second Geneva Conference, all have discussed and worked over it. Finally there emerged from the discussion the following figures, which may be accepted as representing generously the amount of raw opium and crude cocaine[1] needed *per*

[1] In estimating the drug-equivalent of a certain quantity of raw opium, it is useful to refer to the figures prepared by Prof. Knaffl-Lenz, late of the Secretariat of the League of Nations. (They are to be found in the League Document ODC 1 (1), dated Geneva, July 22, 1924; Part II, page 51.) From his tables it appears that of raw opium containing 10 per cent of Morphia it requires:

1 unit to make 10 units of medicinal opium (tincture or powder).
7·8 units to make 1 unit of salts of heroin.
8·8 units to make 1 unit of heroin.
10·0 units to make 1 unit of morphine or codein.
·83 units of *morphine* to make 1 unit of heroin.

As for cocaine: the coca-leaf on the average affords from 1 to 2 per cent of crude cocaine, which in turn works into 85 per cent and upwards of the finished drug.

capita per annum for these uses by the population of the world within reach of modern medical service :

Of raw opium, 450 milligrams (about 7 grains).
Of cocaine, 7 milligrams (about ·11 of a grain).

Of the allowance of 450 milligrams of raw opium the practical distribution for manufacture into drugs would be in milligrams approximately as follows :

134 mgms.	to produce	134	mgms.	*medicinal opium.*
183 ,,	,,	18·3	,,	*morphine.*
113 ,,	,,	11·3	,,	*codein.*
20 ,,	,,	2·0	,,	*heroin.*

Of the 1,747,000,000 estimated total population of the world, it was reckoned that 744,000,000 could be taken as the figure for the total population represented in the phrase " medical and scientific needs." Resorting to this figure, we find these world-needs working out in tons about as follows :

For medicinal opium . .	100	tons.
,, morphine . . .	136	,,
,, codein	84	,,
,, heroin	15	,,
,, TOTAL NEEDS . .	336	,,

Add to this an allowance of, say, 70 milligrams *per capita* for such small proportion of the natives of Asia and Africa as somehow might manage to get access to Western-trained doctors—call it 57,000,000—and you will get an additional *four* tons. Total, 340 tons.

Let us be more generous still, and allow the 70 milligrams per head for *all* of the natives—say, 950,000,000—as if they could reach the doctors. Instead of 4 tons, that would make it not quite 67, and make the world-total a bit over 400 tons—403, to be exact.

If you consider this too narrow, a counsel of perfection, let us go to the limit, and shovel in the full 450 milligrams per year for every man, woman and child in the world. That will give us as the total conceivable medical and scientific needs of the whole world, 786 *tons of raw opium per year.*

Nobody really knows how much raw opium—still less how much coca-leaf—is produced in the world. But the various kinds of estimates, produced by those with motives whether to exaggerate or to minimize the production, and by those whose aim is only to know the truth, come out at last to a probable total world production (including 5,000 tons attributed to China) of about 8,600 tons—*more than ten times what we have seen to be the outside possible legitimate needs of the world.* This 8,600 tons is more than twice as much as the total of figures compiled in 1923 by the Opium Section of the League of Nations Secretariat for the year 1922. The British delegation at the Second Conference—having certainly no motive for understating the production—utilized this computation —in pounds (avoirdupois) :

Country.	1922.
Europe :	
Bulgaria	22,000 lbs.
Greece	50,000 „
Jugo-Slavia	235,000 „
Near East and Egypt :	
Egypt	5,000 „
Turkey	650,000 „
Middle East :	
Persia	540,000 „

Country.	1922.
East and Far East :	
Afghanistan	25,900 lbs.
Chinese and Russian Turkistan	44,000 ,,
China	4,400,000 ,,
India (including Burma)	1,954,000 ,,
Indo-China	10,400 ,,
Japan (including Korea and Formosa)	11,000 ,,
Siam	15,400 ,,
Total Production	7,962,700 ,,

Roughly, about 4,000 tons. Showing upon its face the absurdity of the widely circulated allegation that China alone is producing 15,000 tons. This tabulation charges her for 1922 with only a bit over 2,000. But of China later.

The figures for " legitimate use " are subject to discount, because much depends upon the percentage of morphia in the opium, and upon whether it is used in the " raw " state, as " prepared " opium for smoking, or manufactured into morphine and thence into codein or heroin. It is deceptive, too, to compare the tonnage of Macedonia, Persia or Turkey with that of India or China, because you never can be quite sure whether it is estimated " as is " or in terms of 10 per cent morphia-content. The percentage of morphia in the opium produced in these countries respectively differs substantially :

China	7 to 7½
India	9 ,, 10
Turkey	11 ,, 11½
Persia	12 ,, 12½
Macedonia	15 ,, 17

The difference depends principally upon the process of production. The first " lancing " of the poppy gives the highest percentage of morphia ; every lancing after that

—assuming that the gross product is blended, as usually it is—lowers the average. The practice in Macedonia ordinarily is to lance only once, which gives small bulk but a very high morphia-content and consequently a high price. The greedy Chinese squeeze the poppy to the last drop, and their opium is the lowest thing in the market. So a ton of Chinese opium obviously may be a very different thing from a ton of Macedonian, containing more than twice as much potential deviltry. But in the long run the essential thing is the " kick " in the morphia, which is—morphia, whether the poppy from which it came grew in Gwalior or Semiryetchensk, in Yunnan or Persia.

Cocaine, . . . that brings us to the harmless-looking leaves of the shrubs *Erythroxylon* (the coca-shrub) of various species from which cocaine may be derived. They grow in the Cordilleras of Bolivia and Peru in South America, in Dutch Java, in British Nigeria, and doubtless in other parts where they have as yet escaped the commercial and narcotic-seeking eye of man.

The delegate from Bolivia on November 27, 1924, made to the Second Opium Conference a long statement, in which he sought to give the impression that the habitual chewing of the coca-leaf universal among the Indians of the High Sierras of Bolivia,—to the extent of " hundreds of kilograms " in the lifetime of the average Indian—was not only innocuous but even beneficial. Perhaps there is something peculiar about the climate of Bolivia, or the physical diathesis of the Bolivian Indian in this respect. One speculates : for it so happens that the Government of Peru, Bolivia's northerly neighbour, had already filed with the League of Nations a report of its Ministry of

Commerce, dated Lima, July 12, 1924, on its coca-leaf exports, in the course of which was described minutely the manner in which the Peruvian Indians prepared the coca-leaf for eating, with the remark :

" This is their manner of indulging the *terrible cocaine craving !* "

Unfortunately, there was no Peruvian representative present in the Conference. A Peruvian delegate was appointed and expected : he was heard from, but he never hove in sight to compose this conflict of testimony ; so the Second Conference swallowed without a gulp the Bolivian's version of the matter. One who has his doubts has to fall back on other authority ; such as that of Dr. W. E. Dixon, of the Medical Department of Cambridge University, formerly Professor of Materia Medica and Pharmacology in King's College, London, who in a paper read October 24, 1924,[1] before the Society for the Study of Inebriety, quoted Tschudy as recognizing the inveterate coca-chewer " by his uncertain walk ; he is apathetic, his eyes are sunken and surrounded by a purple areola ; his lips show a tremor, his teeth are green and encrusted and his breath fetid."

However, no doubt it is premature to excite ourselves about the Indians of the Cordilleras. According to the Bolivian delegate, Bolivia neither makes nor uses cocaine, and its export of coca-leaves goes mainly to Argentina (85 per cent) and Chile (15 per cent). During the past four years, he stated, about 1,500 tons had been exported, of which Germany got about 2 tons, and Great Britain a negligible quantity.

From the Peruvian official statement it appears that a total of about 765 tons of coca-leaf were exported during

[1] See *British Journal of Inebriety*, January, 1925.

1920, 1921 and 1922, to the United States, Great Britain and Chile ; together with about 2½ tons of raw cocaine—" imported from abroad " ; the statement does not define " abroad." The Peruvian coca-leaf is described as containing about 1 per cent of crude cocaine, which in turn gives 85–90 per cent of pure cocaine.

The figures from Bolivia and Peru by no means account for the staggering amount of cocaine afloat in the world. It is all made from coca-leaves. From what source ?

The bulk of the raw material comes from Java. Mr. Van Wettum, the Netherlands delegate, objected to any proposal in the direction of controlling the production of coca-leaves, because, he said, the shrub not only grows wild in Java, but is used by the farmers there for " living hedges." Nobody in Java ever chewed the leaves, and they were not used for the manufacture of cocaine in Java. A statement of " The Opium Policy in the Netherlands Indies " circulated at Geneva, said :

> Thus far, it has not been used for the manufacture of cocaine in the country itself ; the whole crop being exported in the shape of leaves. The manufacture of cocaine is not excluded, but is subject to a special licence, a strict supervision being, however, guaranteed.

A factory at Sokaboemie in Java has made a so-called " coca extract " from the leaves, which has been exported to some extent ; but Mr. Van Wettum was emphatic in conversation with me in his assertion that no cocaine or ecgonine has been made in Java. However that be, it is worthy of note that the Swiss drug interests at Basle recently gained control of the Sokaboemie factory, and the first thing they did was to apply to the Dutch authorities for a licence to make cocaine ! Thus far the permission has been refused.

In connection with the assertion that the coca shrub "grows wild" in Java, one's tenderness towards those "living hedges" is somewhat modified by the following excerpt from the authoritative Encyclopædia of the Dutch Indies :[1]

> COCA—A plant from South America, cultivated there for a long time for the narcotic properties of its leaves. In Java this plant was *imported for cultivation to extract the alkaloid : cocaine, from the coca-leaves when its medical value became known.* The most highly-cultivated kind of coca in Java is : *Erythroxylon coca, Lam.*, var. *Spruceanum Burck.*

Cocaine throws its dark shadow even across the Treaty of Versailles. I quote from "Rapport sur les Travaux de la Commission des Réparations de 1920 à 1922. Tome II et appendices" :

> En exécution du paragraphe 2 de l'Annexe VI, Partie VIII du Traité de Versailles, le Gouvernement allemand prend l'engagement de livrer à la Commission des Réparations tous les produits chimiques pharmaceutiques synthétiques et sels de quinine fabriqués en Allemagne à partir du 1er Juillet 1920, jusqu'à concurrence de 25% des quantités produites.
>
> *Cependant la production de cocaïne et de codeine ne sera livrée que jusqu'à concurrence de* 12·5% *de la production totale de chacun de ces produits* (*p.* 450).[2]

[1] *Encyclopaedié van Nederlandsch-Indië*, second edition, vol. I, page 494. Martin Nighoff, Gravenhage, 1917, with supplement to 1924.

[2] (Translation : In compliance with paragraph 2 of Annex VI, Part VIII of the Treaty of Versailles, the German Government engages to deliver to the Reparations Commission all the synthetic chemical pharmaceutical products and salts of quinine made in Germany, up to 25 per cent of the quantity produced.

Furthermore, the production of cocaine and codein shall be delivered up to 12·5 per cent of the total production of each of these products.)

The United States and Great Britain renounced their claims upon these drugs, but France, Italy, Belgium, and Japan took theirs. What became of it ?

On January 27th, 1925, United States Federal Agent seized in Brooklyn narcotics estimated to be worth $450,000. At least a considerable portion of them were in barrels masquerading as olives, from Italy. The drugs were in bottles wrapped in cotton, and with a few olives around the bungholes of the barrels. They came originally from Germany, and there is good reason to suspect that they represented part of the cocaine intended for Italy under the reparations arrangement, and somehow gone astray.

I have before me as I write original issues of the *Spot Goods Reporter*, published in Yokohama, Japan, and claiming a circulation of over 10,000 a month " all over Japan and the entire Far East." Its announcements and accompanying circulars (the latter printed in English and Japanese) declare its purpose to be to bring together, " confidentially and with the strictest discretion," buyers and sellers of any sort of merchandise. The issues are devoted to lists of items of " spot goods " of every imaginable kind, from steel rails to second-hand clothing and rubber rings, wanted and offered.

The issue of October 2, 1920 (Vol. 1, Nos. 31/32) contains, in the list of " Spot Goods Offered," the following items :

> No. 804, Code-word MAGSO, MORPHIUM HYDROCHLORIDE. Offer 25/30 lbs., genuine packing at 16 oz. WEIGHTMAN brand. Y20 per ounce, incl. duty, spot Tokio.
>
> No. 806, Code-word MAGVY,—MORPHIUM HYDROCHLORIDE. Genuine goods, following lots : 20 tins HOFFMAN'S Cubes at 25 oz. Price Y345 per lb net.

15 tins SMITH'S Cubes at 10 oz. Same price. 30 tins MERK'S Powder at 1 lb. Y325 per lb. net. Spot Yoko/Tokio, duty paid, cash on delivery.

No. 808, Code-word MAHER,—COCAINE, crystal, offer 100 tons in 25 oz. tins. Grade N.C.F. Dutch manufacture. Y22 per oz., incl. duty, spot Tokio.

No. 810, Code-word MAHTO,—COCAINE, crystal. Can supply any amount, up to 1,000 tons. In 25 oz. tins. BOEHRINGER'S brand. Y21 per ounce, duty paid, spot Tokio.

Now, 100 *tons* of Cocaine would supply a half-grain dose for every man, woman and child in the world—white, yellow, brown and all the other colours known between the two Poles; civilized and uncivilized,—and go halfway round again. And "up to 1,000 tons," in the trade-parlance of the Far East, means "quantity unlimited; go as far as you like."[1]

At almost the very moment, in September, 1923, when the Fifth Committee of the League of Nations was splitting hairs as to whether there should be one Conference or two, and while certain Powers having possessions in the Far East were contriving to prevent any outside interference or unskilled tampering with the *status quo* as regards the eating, drinking and smoking of opium by their subjects, there was seized at Calcutta in one ship the equivalent of 600,000 doses of cocaine; in another the equivalent of 250,000 doses. And while a part of that cocaine was labelled as having been manufactured in Japan, the greater part of it bore well-known marks to show that it came from Darmstadt and Mannheim in Germany.

[1] Other issues of the *Spot Goods Reporter*, about the same time, contained both requests for and offers of these drugs. It will be observed that the brands mentioned represent respectively America, Switzerland, England, Holland and Germany. And all the offers represented goods on the "spot" and duty paid, in Japan.

The London *Daily Mail* recently reported the case of a man who received a sentence of one year in jail for illegal possession of 96,000 doses of cocaine.

The Committee of Experts of the Second Geneva Conference, and behind them the Opium Advisory Committee, the Health Committee of the League of Nations, and the Mixed sub-committee of both, worked out the medical and scientific needs of the world :

Of cocaine, 7 milligrams (about eleven-hundredths of a grain) per capita per annum.

For the 744,000,000 people regarded as within reach of modern medical service that works out to 5,208 kilograms—a little more than 5 tons. But, as in the case of raw opium, a few pages back, let us be liberal : let us give everybody living among the whole world's estimated total of 1,747,000,000 people, his 7 milligrams of cocaine a year. For that you will need *a trifle over* 12 *tons.*

Keep that in mind, and compare it with the staggering amounts seized from time to time ; with the *Spot Goods Reporter's* offer of any amount " up to 1,000 tons."

Java alone in 1922 reported exports of 1,283,503 kilograms of coca-leaves—more than enough to supply the 12 tons of cocaine theoretically required for the whole world, civilized and uncivilized. And Bolivia and Peru without Java's contribution exported leaves equivalent to nearly the 5 tons of the rationally estimated needs. Of cocaine proper, Germany for 1920 acknowledged export and re-export of more than 5 tons ; France alone of nearly 3 tons. Switzerland reported no export of cocaine, but acknowledged the manufacture of 1·2 tons in 1920 and 1·6 tons in 1921. Switzerland has less than 4,000,000

population, and 7 milligrams of cocaine a year would entitle her to only 28 kilograms ; that is, 28/1000ths of *one* ton. What became of the rest ? Possibly before we have finished this study we shall have acquired material out of which to frame at least a guess about that.

Of cocaine addiction Sir Clifford Allbutt, M.D., K.C.B., F.R.S., says in his essay on " Opium Poisoning and Other Intoxications " :[1]

> The slavery to Coca is worse than that to morphine ; it is more destructive of mind and body, and harder to put aside. The morphinist still retains some desire to defeat his enslaver, and is filled with gratitude, at any rate for the time, when the cure is complete. The cocainist, on the other hand, is so reduced in intelligence that he neither desires emancipation nor feels any thrill of joy when released ; his brain is so benumbed that he cares nothing for freedom. Hence the prognosis of cocainism is worse, even when skilfully handled.

Whatever part for good or ill the coca-leaf as such may play in the uplifting and inspiration of the South American Indians ; with whatever æsthetic complacency we may contemplate it in the " living hedges " of Java : it becomes a very different and sinister thing in the hands of the pharmaceutical chemist. The discoveries and technique of civilization have transmuted it into a common enemy, whose medical utility on even the smallest scale is under increasing suspicion. The coca-leaf, like so many other of the gifts of God, becomes in civilized hands a poison which can almost beyond cure turn a man into a beast.

It is from that point of view that the coca-leaf must hereafter be seen, and dealt with accordingly.

[1] In *A System of Medicine*, by Many Writers, Macmillan, London, 1908.

A more or less plausible defence may perhaps be made for the practices of India with respect to the eating of opium and even to the feeding of it to the Indian babes-in-arms; or for the smoking of opium by the Chinese. These are time-honoured customs imbedded in ancient habit, and requiring for eradication a long and laborious process of education. Perhaps their evil effects may be said even to be exaggerated by prohibitionist and missionary zeal. But no such defence can be offered for addiction there or elsewhere to the manufactured drugs.

Naturally, the point of view from which any nation will see this whole subject will depend somewhat upon its own relation to and interest in one or more of the several aspects in which it may present itself. At least theoretically there are three groups of countries. Their differing postures were vividly evident in the Opium Conferences, as they have been for thirteen years and more with reference to the Hague Convention:

Producing Countries—those which cultivate the poppy-plant or the coca-shrub and export raw or prepared opium, coca-leaves or their extract, ecgonine, from which cocaine is made. Also those from which come the products of the Indian hemp.

Manufacturing Countries—those which import the raw materials, raw opium, coca-leaf or ecgonine, and manufacture in their various forms the derivative drugs for their domestic uses and export. These are especially Germany, Switzerland, Great Britain, Holland, United States, France, Japan.

Consuming Countries—those which neither produce raw materials nor manufacture drugs, but have to import such as they need, or say they need. They include those regions of the Far East which produce either none or

insufficiently of the raw opium, and have to import it and make it into the " prepared " for the smoking which is still " temporarily " permitted in their territories.

The term " consuming " is becoming less and less a distinctive one, because while opium-*smoking* is still largely confined to the Chinese, and opium-*eating* is the exclusive privilege of India, the addiction to the manufactured drugs is spreading rapidly throughout practically all parts of the world. In that respect virtually every nation has become a " consuming country."

Long ago were published warnings, including one by Dr. Holmes in his " Opium " article in the *Encyclopædia Britannica*, that manufactured morphine would supplant both " raw " and " prepared " opium in the Far East, including India, and would prove a far more serious evil. At that time heroin had not been discovered—to be denounced within a few months by its discoverer and then to go on and gain its present criminal reputation as a drug of no medicinal value to offset its merciless quality as an incurably habit-forming, soul-destroying agency. And cocaine, then regarded not only as a valuable and innocuous local anæsthetic but even as a remedy for morphinism, had not yet begun to figure in its present rôle of more dangerous as well as more powerful supplanter of morphine for addiction. Time has more than justified these forebodings.

With all respect for contrary opinion, I believe that there should not have been two conferences. The subject of " Opium," of drug addiction, is not separable any more, if ever it was. The growing of the poppy and the production of " raw " and " prepared " opium ; the

cultivation of coca-leaves and the making of ecgonine and raw cocaine ; the gathering from the hemp blossom of the poison-bearing resin, have alike one purpose. The distinction between one kind of opium and another, Chinese, Indian, Persian, Turkish, Macedonian or whatnot else, is only that of the quantity of intoxicating morphia that can be gotten from each. Cocaine and hemp are only other means of producing an intoxication similar, even if more insidious and less curable. The " raw " and " prepared " opium, eaten and drunk, or smoked, as the case may be, in Oriental countries and made by their governments the source of great revenue (despite smuggling in and out), is essentially *the same stuff* that is used by the " civilized " Western nations for the manufacture of morphine and heroin, only a very little of which comes at last to any better use. The problem, however intricate and difficult, is one problem, not two. It all hangs together and must be treated as a whole.

In treating it as a whole, the conscience and intelligence of the world will have to recognize and deal with first, the outstanding fact that there is now being produced of this stuff, *more—probably very much more—than ten times as much as the world uses or can use for any purpose except addiction.*

That means inexorably that somewhere there is or must be found, *or made*, a market for it. A constant supply of new consumers. Nobody raises poppies on a great scale, or cultivates the coca-shrub—even in "living hedges "—out of mere perversity or simply as a contribution to the landscape. Nobody manufactures narcotic drugs in order to have a large collection of them. Beyond the exceedingly small amount required for the uses of medicine, every ounce, every grain, of this enormous

production has its destination in the person of an addict, actual or prospective. Finding or making a market, whether among the reckless and ill-instructed youth of America and Europe, or among the unsuspecting folk of half-civilized or savage lands, ever ready to take on the "superior" white man's vices—at the white man's price!—means and can mean nothing but the entrapping of new addicts, who, once enmeshed, will be sure-fire customers.

CHAPTER IV

REVENUE THAT COSTS TOO MUCH

ANY government that could be indifferent to the existence of colonial revenue of upward of $50,000,000 a year, which if abandoned must be somehow replaced, would be a fit subject for a Commission *de lunatico inquirendo*. So, when representatives of Great Britain, or any other of the governments which derive revenue for their support from the drugging of their subject peoples in the Far East profess, as indeed they all do—and did in both of the Geneva Conferences—that they are neither moved nor hampered by financial considerations, anyone with a sense of humour must suspect Pickwickian reservations. Probably we are justified in not taking that particular protestation over-seriously. Indeed, bare candour compels recognition of the fact that in this exceedingly perplexing problem the question of abandoning and replacing an established source of revenue, in some cases furnishing at least half of the support of government, is one of the most obdurate factors.

The record of Great Britain's writhings of conscience about opium discloses this aspect of the subject as constantly in the forefront of discussion. As recently as 1923, a special commission, headed by Lord Inchcape, investigating the Indian finances, said of the opium revenue:

> Having reviewed the expenditure under the opium head we recommend that the possibility of reducing the

price paid to cultivators for opium be carefully watched with a view to reduction. We are informed that there will be a reduction of about 20 *lakhs*[1] in expenditure in 1923–24, and, in view of the importance of *safeguarding this important* source of revenue, we recommend no further reduction.

As we shall see presently, in the chapter on the Indian aspects of this question, the Indian Opium Department, at a time not long before this, was urging an increase in the price paid to cultivators, in order to induce them to increase their poppy acreage and thus offset inroads upon the revenue by wheat—" the competing crop."

The British Imperial Government does not receive any of the opium revenue of India or the Crown Colonies. Indeed, according to Wie T. Dunn,[2] at Hong Kong " the restrictive measures successively adopted by the Government had by 1910 curtailed the revenue to such an extent that in that year the British Government granted £9,000 to the colony to replace the loss of revenue from opium." I believe it is true of France, Holland, Portugal and Japan that all of the opium revenues go to the colonial treasuries for the purposes of local government. Ordinarily none of the home countries would tax themselves by so much as a farthing, an escudo or a rin, to make up a loss in colonial revenue. To abolish the opium revenue would mean new taxes, which would fall not alone upon the alien Chinese opium smokers and their more or less despised providers and associates, but upon the just and the unjust of the general population, including Europeans who now largely escape taxation. This is hardly a propitious time in the Far East, especially India, to be adding

[1] A " lakh " of rupees is now equivalent to £10,000. There are 10 rupees to the pound sterling at present.

[2] *The Opium Traffic in its International Aspects :* Thesis for Degree of Doctor of Philosophy, Columbia University, 1920.

to political instability by experimenting with new forms and victims of taxation. One suspects that a part at least of the irritation displayed by the delegations of the governments concerned towards the Americans in the Second Opium Conference arose from the fact that they were demanding that very thing; were "throwing a monkey-wrench" into Far Eastern machinery which lately hasn't been working any too well at best.

Space is not available, nor is it necessary, to go into detail as to the part that opium plays in governmental revenues in the Far East; it is indisputable, however, that it is substantial—in some cases preponderating. It was stated in the British Parliament last year (1924) that the proportion of the opium revenue to the whole in the British Crown Colonies varied from 0·75 per cent in Ceylon to 45·5 per cent in the Straits Settlements: North Borneo 12·3, Sarawak 14·0, Brunei 14·9, Federated Malay States 16·8, Hong Kong 22·4, Kelanton 23·5, Johore 34·25, Trengganu 37·7, Kedah 38·3, Perlis 44·3.

It is difficult to figure precisely the percentage part that opium plays in the revenue of India proper; the official reports do not facilitate any synthesis on that subject. Some apologists for the Indian situation put it as low as 3 per cent. Probably it is much larger than that, but if not, the fact would seem to discount Lord Inchcape's anxiety about "this important source of revenue."

The Government of French Indo-China estimated for 1923 that 21 per cent of its revenue would come from opium. The Netherlands East Indies expected in 1923 to derive approximately 11 per cent of its revenue from this source. The Government of Macao (Portuguese) does not, so far as I can ascertain, officially expose its revenue from this source; the Opium Advisory Committee

at its fifth session was informed that the average consumption of opium annually in Macao was 2,266 grains per head, and we know that the opium "farmer" there pays about $2,000,000 gold annually for his monopoly. Inasmuch as (according to *Whitaker's Almanack*) the total revenues of Macao for 1920–21 were $2,631,981, and inasmuch as the government of that redolent spot—affectionately referred to sometimes as "the Monte Carlo of Hong Kong," and sometimes as "the hell-hole of the Pacific"—is supported considerably if not principally by the subsidizing of opium, gambling and other vices, we may fairly assume at least that the opium factor is exceedingly important from the fiscal point of view. On the other hand, it is only fair to quote the Portuguese statement in the first conference that the opium revenue is devoted:

> Principally to works of charity, health and social welfare which will enable it effectively to combat the use of opium and later to dispense with this form of revenue. These works are almost entirely for the benefit of the Chinese population, since . . . almost the whole population of Macao is Chinese. Among the works in question are included the sanitary improvement of the Chinese quarters in our Colony, which are considered to be the most sanitary in the whole of the East, improvement in the water supply, and principally work on the harbour of Macao. . . . It will be followed by further work of social welfare and education, to which the whole of the revenue from opium will be devoted. . . . Facts and figures will continue to justify the action of the Portuguese Government in a colony which it has administered from the earliest days, not by virtue of conquest but because of services rendered to humanity and particularly to the Chinese people, whom we have helped to free from the state of piracy of which they were the victims.

The Portuguese gave, however, neither any figures at all nor, beyond this general assertion, any facts to illuminate the staggering consumption of more than 2,000 grains of opium per capita per annum. Compare that with the alleged 36 grains per capita, the exaggerated total for the United States which, casually mentioned in the Second Geneva Conference by Lord Cecil, aroused Mr. Porter to denounce it as " a vile slander."

The kingdom of Siam during the years 1916–1920 derived from opium between 23 and 24 per cent of its total revenue. Persia's opium revenue represents at least 12 per cent of the whole, and probably considerably more than that ; I have seen the opium revenue of Persia estimated as high as 50 per cent of the total indirect taxes of the country.

A constantly-embittering factor in the Far Eastern situation—embittering many things beside the opium question—is the characteristic assumption on the part of the European of inherent racial superiority ; together with its corollary, that the main excuse-for-living on the part of the Oriental is to contribute to the welfare, financial and otherwise, of the said European. It is even worse than that. This cynical attitude underlies most of the arguments against any interference with opium-smoking, not to mention the capitalizing of gambling and other vices. The familiar formula is :

" We must have our labour supply ; hence we must not interfere with the ' recreations ' which attract that labour and help to keep it contented. I must have coolies for my brickyard, to unload my ships, to get the stuff out of my go-down. And the coolies are Chinese ; they must have their recreations. No opium, no coolies."

This point of view is not imagined here: read this excerpt from the careful analysis of the measures suggested by the Opium Advisory Committee, from the Court of Directors of the British North Borneo Company, bearing date of May 29, 1924:

> A free flow of Chinese labourers and settlers is vital to the progress and development of North Borneo, and the Government would hesitate to introduce measures which, in the present state of Chinese feeling, must necessarily restrict immigration and have a disturbing effect on the resident Chinese population.

Remember, too, that North Borneo is not an instance in which, as in India, the Government took over an inheritance of ancient customs and the past of a purely commercial exploitation such as that of the old East India Trading Company. This is a modern situation. The British North Borneo Chartered Company got its charter in 1882, and it is for all intents and purposes the Government of Great Britain's third (the rest is Dutch) of the island of Borneo. On the strength of that charter (says the *Handbook of the State of British North Borneo*, 1921), the chartered company "took over all the rights, sovereign and territorial, . . . and proceeded to organize a Service for the administration of the territory and the development of its resources." According to the latest and most authoritative book on the subject of North Borneo, issued under the *imprimatur* of the President of the British North Borneo Company himself,[1] the Company derives a large part of its revenue from gambling, pawn-

[1] *British North Borneo, an Account of its History, Resources and Native Tribes*, by Owen Rutter, F.R.G.S., F.R.A.I., with an introduction by the Rt. Hon. Sir West Ridgway, G.C.B., G.C.M.G., K.C.S.I., President of the British North Borneo Chartered Company, London, 1922.

broking and opium. As therein stated, the opium business is a recently-acquired enterprise of the Company :

> In 1915, the Chartered Company, at the request of the Colonial Office, took over the opium traffic which had previously been farmed out, and now buys direct from India, selling at the same rates laid down in Labuan and the Straits Settlement to licensed dealers. . . . The traffic is carefully supervised and the opium is only sold to the adult Chinese population, among whom the annual consumption averages 15·2 ounces. *Apart from the point of view of persons interested in stamping out opium smoking there is not very much to be said against the Company's trade in the drug.*[1]

The total revenue for 1920 was £425,333 sterling, of which customs-receipts were £105,179, and excise (opium, gambling and pawnbroking) £193,954. Says Mr. Rutter :

> It will be seen at a glance that 70 per cent of the total revenue of the territory comes under the heading of customs and excise. . . . It is, from the shareholder's point of view, the most important branch of the Service ; *without it there would be no dividends.*[1]

According to a statement filed in both Geneva Conferences by the Dutch delegation (" The Opium Policy in the Netherlands Indies ") :

> Vast regions . . . are largely dependent for their economic development on the supply of labour from elsewhere, frequently non-native workers, and, should the use of opium be wholly prohibited, it would be impossible or at least extremely difficult to hire labourers, so that the public welfare would suffer materially from such a measure.

The British Malaya Opium Committee of 1923 reported among other things :

> We cannot avoid reflecting upon possible disturbance of the free influx of Chinese labour which might result from

[1] The italics are mine.—J.P.G.

> restrictions of this nature (i.e. registration, rationing, etc.), unless this system were applied universally wherever the Chinese can earn a livelihood. Any check on a free flow of labour from China would have disastrous effects on the economic position of British Malaya, and these territories would be faced with a steadily dwindling revenue and a steadily increasing expenditure, owing to costly preventive services and establishments required to make the system effective.

Waiving any question of morality, any ethical compunctions about a government's not merely tolerating a notorious vice, but at a profit actually providing the material with which its subjects may drug and otherwise demoralize themselves; waiving, too, any personal hesitation on the part of shareholders in the matter of dividends avowedly dependent upon the exploitation of that vice; . . . all this proceeds upon the widely-prevalent assumption that the taste for opium is something congenital in the Oriental—the Chinese especially—that it does not injure him as it does the European; indeed that he could not or anyway would not live without it. Neither of these things is true, even though on more than one occasion the attempt to suppress opium smoking has been followed by strikes of large numbers of coolies.[1] Opium has no different effect upon an Oriental from that which it has upon any other kind of human being. Medical testimony on that subject is overwhelming and virtually unanimous—even if common sense required it. The British Malaya Opium Committee—certainly not given to favouring the Chinese in this matter—in the course of its investigation of 1923 made a census of opium

[1] H. A. Van Coenen Torchiana, in his *Tropical Holland*, 1921, tells of such a strike when the Dutch prohibited the smoking of opium in Banka.

smokers, and developed the fact that a little more than 13 per cent (13·3) of them brought their habit with them. As for the rest: *Anywhere from* 60 *to* 85 *per cent of them acquired the habit after arriving in Malaya.* The situation is exactly similar to that existing in American lumber camps when liquor, prostitution and gambling—with pawnbroking on the side—are the only "recreations" provided for great masses of labourers.

Utterances like those of the British North Borneo Company, and many others that can be cited, illustrate perfectly the "hard-boiled" attitude of a certain type of bearers of "the White Man's Burden" toward any attempt to free the Far East from the thraldom of opium. They cast a sinister shadow upon even obviously sincere declarations regarding the impracticability of definite steps toward reform.

There is nothing inadvertent in the absurdity that a Chinese who attempts to smoke opium in London puts himself in peril of the law, while in the Far East the same British Government not only will permit him to do it, but will itself furnish—at a comfortable profit—the opium with which to do it; will salt away that profit for government revenue (in the Straits Settlements some 45 per cent of the whole) and in official documents stoutly maintain that it doesn't hurt him—that he cannot get along without it. One man, concerned in the enforcement in Great Britain of the British Dangerous Drugs Act, said to me quite frankly of this inconsistency:

"Of course it is illogical. But you must understand that it isn't so much that we don't want opium smoking in London: it is that we do not want the Chinaman in London. We do want him—we must have him—in Straits Settlements and in North Borneo."

Occasionally we find the idea wearing the countenance of a kind of complacent pity; as for example in these words of the late W. W. Rockhill, formerly the Ambassador of United States to China.[1] Writing in 1890 of the opium-addiction of the squalid villagers that he saw during a sight-seeing trip through North-west China, especially in Kansu, Mr. Rockhill said:

> If it destroys their appetite for food, so much the better, for they will have stilled the gnawing pangs of hunger which otherwise they would feel every instant of their lives; and under the effects of the drug their imagination is excited, they talk, forget their woes, and enjoy themselves for a brief while. Men, women, and often young girls and boys, indulge in opium smoking.

No doubt there are innumerable persons, Whites as well as Orientals, who can and do use opium, eating as in India, or smoking as in China, for a long time—perhaps even all their lives—in something that can be called moderation, without its producing visible physical disaster. (This cannot be said of addiction to the derivative drugs, whose "legitimate" use, even under medical restraint, is so dangerous that conscientious physicians prescribe them with concern and increasing reluctance and caution.) But to realize by how much the general use of opium exceeds that of alcohol as a beverage in its personal and social peril one need only turn a page or two of the voluminous literature of the subject. Samuel Merwin, the well-known American writer, whose magazine articles in 1907–8[2] contributed materially to the American awaken-

[1] *The Land of the Lamas:* Notes of a Journey through China, Mongolia and Tibet, by William Woodville Rockhill, New York and London, 1891.

[2] Compiled in *Drugging a Nation*, Fleming H. Revell Co., New York and Chicago, 1908.

ing on the subject, gives an appalling picture of the desolation of villages, whole country-sides, in China, by the poverty caused primarily by the vice, and the physical ruin of the emaciated victims who had sold even the beams of their wretched houses to buy opium. Victims characterized by "the opium face," best described as "a peculiarly withered and blasted countenance"; by upset digestion and elimination, chronic diarrhœa, lost power of resistance to disease—dull and devitalized folks who must have more of the narcotic in order to resume activity.

The Chinese have "The Ten Cannots" to describe the condition of the opium addict. He cannot—

1. Enjoy sleep.
2. Rise early.
3. Be cured if sick.
4. Plan anything.
5. Walk any distance.
6. Enjoy wealth.
7. Help needy relations.
8. Get credit, even if an old customer.
9. Decently await his turn to smoke.
10. Give up the habit.

In the last analysis, and allowing for the exceptional person characterized by unusual "tolerance" or self-control, who may set foot upon this perilous way without becoming profoundly and permanently enslaved, there are only two classes of addicts. This applies even more certainly to those given to the use of the more powerful drug-derivatives.

I. Those who are beginning, who have not yet shown the visible effects: who still imagine that they could—

even though they do not—stop it; that they can dally with the danger and escape unscathed—the novitiates.

II. Those who resorted to the drug in one form or another to palliate pain or find temporary surcease from mental misery, and have lost all power to abandon it, because they must have it now to relieve the acute distress, physical or mental, or both, occasioned by the drug itself. The slaves—who probably will never know freedom.

I recently received a letter significant of the prevailing state of indifference and ignorance on this subject. It happens to have been written by an Englishman: but it might as well and as readily have come from anyone of many Americans of my acquaintance, or residents of any other country. In it occurs this sentence written in all seriousness:

> It is only inferior and degenerate people who resort and succumb to this drug-vice; therefore it would be a good thing not to interfere with but to encourage the commerce in narcotics deliberately, in order to kill off the riff-raff of the populations, and generally to thin out the inferior races.

Ignoring the barbaric ethics expressed in this utterance; even if it were based in any truth, it is necessary to emphasize the fact that its primary assumption is not true. As I have remarked before, this used, in its primitive forms, to be an esoteric vice, confined to Orientals and to the shame-abandoned white denizens of disreputable quarters. It is so no longer. The drug-menace is not confining itself to, or excluding itself from, any part of the world or any order of persons. It is invading—has invaded—every class in society, including armies and navies and groups responsible on land and sea for the safety of

their fellows. It spares neither old nor young; the wretched pedlars of this stuff have as little scruple to sell it to children on their way to school as to smuggle it into prisons for the confirming of criminals who may indeed have been set by it upon their downward way. Like death, it seems to love a shining mark: there is an appalling list of brilliant people, some young and very promising, who first sought incitement or diversion in rash experiment and soon found themselves enmeshed beyond rescue. Compared with this, ordinary alcoholism is merciful and easy to cure. Moreover, drunkenness cannot be long concealed; but drug addiction usually is far on its way before it discloses itself in outward signs.

No intelligent person honestly believes, however much he may pretend to believe, that the effect of any of these narcotics is in any important respect different or in the long run less injurious upon an Oriental than upon a Knight Commander of the Bath, a Chevalier of the Legion of Honour or a Son of the American Revolution. Indeed, I can produce responsible testimony from authorities familiar with medical practice in the Far East to the effect that the white person shows, if anything, the greater tolerance. The very fact (for it seems to be a fact) that the Oriental labourers—and the Indians of the South American mountains too, for that matter—can eat or smoke opium, or chew coca leaves with less immediate injury than persons living sedentary lives, has been given the rather obvious explanation that violent physical exercise tends, in a measure, to offset the effects of any narcotic. Over against which stands the fact that these labourers, once addicted, are notoriously both miserable and incapacitated when deprived of their "dope." The

Japanese in Formosa have an infallible method of sorting out the addicts from among the Chinese temporarily admitted at the time of tea harvest: they quarantine them all for 48 hours. Those who show the familiar symptoms of deprivation are excluded. They do not entertain the delusion that any sort of narcotic drug makes a man in any respect a better worker. Japan looks upon a "dope fiend" of any sort as a person infected with a disease which she will not knowingly admit within her borders. In Formosa she enforces the system of registration and rationing, and waits for the addicts already there to die.

What the intelligent white man really thinks about "dope" in any form he manifests by the strict laws against its abuse in his own country. What he really believes about it in the territories for which he is responsible in the Orient he shows, too, when anything important is at stake. The document "The Opium Policy in the Netherlands Indies" is unequivocal on the subject; all the excuses for tolerance are those of expediency. Observe:

> The use of opium is wholly forbidden to the native crews of the Navy and to native soldiers.
>
> As a rule opium-using labourers are not admitted to the government undertakings.
>
> Without a medical prescription Europeans are not allowed to possess opium. (On the issue of this prohibition in 1911, an exception was made for such as were accustomed to take opium. A non-transferable licence was issued to them. At the close of 1921 nine Europeans were still in possession of such a licence.)
>
> No opium is sold to persons under 18.

And while this document duplicates the argument of the British North Borneo Company that without per-

mitting opium it would be difficult if not impossible to get Chinese labour :

> . . . Where, as with the tin workings in the Island of Banka, the entire prohibition of the use of opium would be a danger to the undertaking, the Government has earnestly endeavoured, by adopting effective measures, to arrive at the ultimate extinction of the evil. *Workmen newly engaged by this important concern, which almost exclusively employs Chinese workers, are forbidden the use of opium.*[1] Only such as were active with the undertaking before the year 1917, and then already indulged in the opium habit are allowed to continue, subject to severe restriction.

When the Government of India for example, having bought its opium from the cultivator at the lowest price that will tempt him to grow it, sells it to a retailer, or to a colonial government, or to the chartered North Borneo Company, at a profit, and the latter sells it to its retailer, at a profit, and the latter sells it to as many customers as he can induce to buy it . . . every copper of the profits, together with the cost of production and distribution, comes out of the ultimate consumer. The same is true when the transaction is with the authorities of Java, Indo-China, Siam, Formosa, or with the "farmer" at Macao, for the " benefit " of consumers in those territories. And save for the very small consumption attributable to bona fide medical and scientific uses, every penny of the revenue comes in the last analysis from some human being who ought not to have it. In the vast preponderance of instances, the ultimate consumer is a slave to his addiction, wretched and incompetent without his drug, and on the way to still greater wretchedness and

[1] The italics are mine.—J.P.G.

incompetence with it. We cannot repeat too often, nor bear too closely in mind, the bottom fact that morphia is morphia, cocaine is cocaine, and hasheesh is its own hellish self, whatever excuses may be made for their distribution outside the field of honest medicine; that every effort and subterfuge goes to the getting of "dope" to the addict and raking off the profits rooted in his addiction. And these facts apply, whether the subject was born in London, Montreal or Kansas City; in Bangkok or Hankow; in Santa Cruz de la Sierra of Bolivia, or in the jungles of Tanganyika.

Dr. Carleton Simon, Special Deputy Police Commissioner of New York City having charge of police activities with respect to narcotics, delivered early in May, 1925, an address, in the course of which he suggested that the discovery of a synthetic opium would destroy the incentive for cultivating the opium poppy, by destroying the market for the raw opium. Thereupon Mr. Herman A. Metz, head of a great pharmaceutical corporation in New York and largely concerned in the manufacture of drugs, announced the offer of a prize of $100,000 to the first person who should invent a method of artificially producing opium—the identical opium molecule—at a cost sufficiently low to compete with the natural product of the poppy. He laid down the condition that the winner must surrender all rights in the process, the control of the new narcotic to be under restrictions established by international agreement.

This looks plausible enough off-hand, but it seems to me that Dr. Simon and Mr. Metz, with the best possible intentions, overlooked essential considerations—not to

mention cocaine, the deadly ally and supplanter of morphia.

The proportion of the total production of opium used in the manufacture of drugs is relatively a minor part of the whole. It certainly is not more than 25 per cent; it may be as small as 10 per cent. Nobody knows, because nobody knows how much opium is produced in the world. We have already seen that it surely is at least ten times, and probably a great deal more than ten times, as much as is required for medical and scientific uses.

At least half of it is produced in China (however unlawfully) and in India. Virtually all of the Chinese product is consumed in China for smoking, together with large quantities smuggled into China from Persia, Turkey, Central Asia, Afghanistan, etc. (As I expect to show later, I believe the alleged smuggling of opium *out of* China is largely mythical, the legend being encouraged by reason of various motives, political and otherwise.) Something like half of the product of India is consumed in India for pseudo-medical purposes and in the ancient widespread practice of eating and drinking it and almost universally feeding it to infants, as well as to live-stock, including elephants. The rest is sold, quite lawfully under the Hague Convention, by the India Government to other governments, principally in the Far East, and almost entirely to be made by them into "prepared" opium for smoking. The opium produced in Siam, Indo-China and elsewhere in the Far East goes to smoking. I do not suppose Mr. Metz intends his munificence to create a new source of supply for the opium smokers! Nor to take the place of the considerable quantities of poppy-seed used in Turkey and Jugo-Slavia for oil extensively used, as olive oil is used, for cooking, butter,

soap, etc. Yet every one of those seeds is a potential source of raw opium.

The cause of the overflow of morphine and the heroin that is made from it is not primarily in the Oriental poppy-fields, in the over-production of the raw material; but in the *uncontrolled manufacture* of the high-power drugs from a relatively small part of the total product of raw opium—in the pharmaceutical laboratories of the West. Also and equally the fact that in the absence of effective international co-operation and under the delusion that these substances can be properly or safely the subject of ordinary commercial competition, each of the nations engaged in this manufacture regards it as legitimate to compete for the entire market. Some of them are none too scrupulous as to the character of that market. That is the principal reason for the existence of the prodigious surplus, and the surplus is the cause of the illegitimate traffic, whose great profits in turn inspire production.

Every nation party to the Hague Convention of 1912 pledged itself, under Article 9 of that Convention, to *limit the manufacture* (as well as the sale and use) of these substances "exclusively to medical and legitimate purposes." Not one of them, including the United States of America, has done it, or, as I see it, made any substantial effort to do it. Insisting upon the possession of licences, and the collection of an import tax (both sources of governmental revenue, by the way), is not limitation of manufacture. There is only one place where manufacture can be limited, and that is in the factory. Not only has the Hague Convention not been complied with by any nation in that respect, but in the Second Geneva Conference every suggestion aimed in that direction was promptly stepped upon.

Indispensable, however, to the limitation of manufacture of drugs (as it is likewise to the restriction of the production of raw material) is adequate knowledge of the legitimate needs of each country and of the world as a whole. No such knowledge exists; nor will it exist without some central international clearing-house of information, frankly and reliably put in possession of the facts. Such a clearing-house is provided for in the drug-convention adopted by the Second Conference; but its establishment and functioning awaits the ratification of that convention by the particular nations specified in the convention itself. Of that, more in a later chapter. In the meanwhile, the nations struggle along, each after its fashion and in accordance with its own idea of the situation and of its own commercial and political interests; with only a very limited measure of international comity and co-operation.

To this date, the nations most advanced in the effort to solve this problem have been content, so far as action shows, with legislation intended to suppress the abuse of narcotics by restricting manufacture, distribution and administration to persons (more or less carefully investigated and more or less strictly supervised) holding licences for which relatively small fees are charged; with the imposition of import taxes upon raw material and a certain moral pressure to reduce the amount of imports, and increasingly severe penalties upon infringement of these laws. Internationally, there has been established and generally—but by no means universally—adopted, a system of "import certificates," under which no export of the narcotics covered by the Hague Convention is authorized without certification by the *importing* country that it is for lawful use. Also the nations, with a varying

degree of vigour, have struggled with the increasing illicit traffic, exchanging information about seizures, etc., meanwhile doing their best, and with a varying degree of success, to suppress smuggling into and unlawful distribution within their own domains.

The position of the United States in this matter is more than ordinarily difficult. For one thing, its immense coast-line and the long frontiers of Canada and Mexico make smuggling comparatively easy. Very lately treaties have been negotiated with both Canada and Mexico providing mutually for the extradition of offenders against the anti-narcotic laws—a long step in advance which ought to be taken among all the nations.

But a difficulty peculiar to the United States lies in the heterogeneous character of the legislation of the States among themselves, and the great discrepancy in the degree and efficiency of enforcement of what laws they have. The American legislation on this subject is a patchwork; some of it still in the vague and ineffectual condition belonging to the first stages of awakening. And in some States and localities the police authorities, regardless of the adequacy of the law, give slight cooperation to the Federal enforcement, if indeed they do not actively obstruct it. The result is that the whole blanket is hardly stronger than its weakest spot. Once a quantity of narcotics is safely over the border it can be transmitted anywhere in the United States with little probability of interference. Yes, even by mail; for unless there is positive reason for suspicion, the average parcel is transmitted without question to its address. This is especially true of transit by rail as baggage or by

the express companies. Owing to the difference in weight and fragility, it is much easier to detect a consignment of liquor, now illicit under the Prohibition Law, than of drugs, small in bulk and giving forth no disclosing gurgle of liquid ; nor upon rough handling any crash of glass.

Prohibition Commissioner R. A. Haynes, in an official statement presented in October, 1923, to the Conference of State Governors at Washington, analysed the statutes of the various States on the subject of narcotics, and disclosed a bewildering and on the whole discouraging hodge-podge, without any trace of common conviction or purpose or any coherence of policy. He showed, for example, that New York State had no anti-narcotic law. As late as March 6, 1925, this was a fact ; on that date the State Prison Commission made public a voluminous report in which it urged the enactment of such a law, disclosing a tragic condition of affairs, especially in New York City, but also in all of the large cities of the State. Addicts testified before the Commission that proscribed narcotic drugs

> . . . are sold on the streets in all parts of New York City. Witnesses told the Committee that they could buy it as easily as chewing gum. . . . The large cities throughout the State, according to the report, are full of drug-pedlars. . . . The traffic is carried on generally through organized gangs with foreign connections, and officers and sailors on ships are often the intermediaries. Addicts pay from $25 to $95 for a week's supply.[1]

It appeared in Commissioner Haynes's analysis of the State laws that (to take a few instances at random) the law of Kansas was wholly inadequate and the Federal

[1] From summary of the Report published in New York *Times* of March 7, 1925.

officers received practically no local co-operation; that Maine produced no copy of any law whatever, and its officials gave little attention to the subject; that Mississippi restricted only cocaine; that Missouri appeared to have no anti-narcotic legislation; that North Carolina's law was inadequate; that Oregon's futile statute was enacted in 1902.

The immensity of the task of the Narcotic Division of the Prohibition Unit appeared in the Commissioner's statement that there were at that time in the United States no less than 286,405 registrants entitled to handle narcotics; including manufacturers, importers, wholesalers, druggists, dentists, physicians, over all of whom a field force of only 170 persons had to maintain surveillance in the fifteen geographical divisions, including not only the United States proper, but also Hawaii and Alaska, and with a Federal appropriation of only about $750,000 a year. This, despite the fact that during the five years beginning 1919 there was covered into the United States Treasury a clear profit of more than $3,000,000. Said the Commissioner:

> During the period since the Harrison (anti-narcotic) Law has been in operation, the actual cost of enforcement has totalled $3,526,459·94, while the amount collected as fines, penalties, etc., has aggregated $6,384,751·45, none of which is used to defray the costs of enforcement, but is turned into the general funds of the United States Treasury.

Included in the receipts, presumably, are the fees for United States licences: $3 for physicians, dentists and veterinary surgeons, up to $24 for manufacturers and importers.

Six hundred thousand dollars a year of clear revenue

for Uncle Sam out of the " dope " business. From which, at least, he may well clear himself before he is in a position to point fingers of scorn at anybody else ! He might at least devote all of it to the enforcement of the law.

Mr. Porter, chairman of the United States delegation to the Second Geneva Conference, displayed great indignation at Lord Cecil's mention of " 36 grains per capita " as the reputed annual consumption of opium in the United States, declaring it " a vile slander upon a great people." Whereupon Lord Cecil promptly withdrew the statement. The statement was not true, but it has had wide circulation. What Commissioner Haynes said to the Conference of Governors in October, 1923, was that *in the five-year period*, 1910–1915, " Sufficient opium was imported to furnish each man, woman and child in this country with 36 grains." That was a very different thing ; but even at that it did not take into account re-exports, clandestine or other, from the United States. There appears to be no doubt, however, that the consumption of narcotics in the United States is disproportionately large. The Commissioner gave the importation for 1922 as about 7 grains per capita of opium in morphia equivalent of $\frac{7}{8}$ of a grain. Of cocaine he estimated the use as $\frac{1}{4}$ of a grain per capita.

The fact is that nobody knows how much narcotics are used in the United States, or in any other country. All the official figures have to do with recognized *importations through regular channels and paying import-tax*. Mr. Haynes went on to say :

> It is estimated that from 50 to 60 per cent of the various narcotic drugs consumed in this country by the ordinary " dope-fiend " or drug-addict are smuggled into the country across our international borders and through the various ports of entry on our shores.

This carries with it the corollary that the other 50 or 40 per cent of the drugs used by the addicts is *not* smuggled, but proceeds in the last analysis from raw material or drugs lawfully imported into or manufactured in the United States; so we come back to the question of adequate legislation and enforcement; but, still back of that, to that of *the limitation of manufacture to legitimate needs*, which was solemnly—or at any rate specifically—promised by every nation, including the United States, in which these drugs are fabricated, and which no nation whatever has performed, or seriously attempted to perform.

One thing which has complicated and aggravated the matter of smuggling drugs into the United States is its intermingling with the smuggling of liquor. The ships on "Rum Row," the fleet of vessels gathered just outside the twelve-mile limit, waiting for a chance to get their liquor-cargoes to the shore, have carried increasingly supplies of "dope" of various kinds. The profit on smuggled drugs is usually much greater than that on alcohol, and the distribution easier because of the smaller bulk and consequently greater ease of concealment, and the fact that the government officers are searching not so much for drugs as for liquor.

In this connection it is asserted that one of the important bases of the smugglers of both liquor and drugs is the little island of St. Pierre de Miquelon, off the coast of Newfoundland, whence the contraband can be transshipped or otherwise taken on both to the United States and to Canada.[1] St. Pierre de Miquelon is a French

[1] Illuminating side-lights are thrown upon this situation and the illicit traffic generally in a little book called *Les Pirates de l'Avenue du Rhum*, by Pierre Mac Orlan; published aux editions du sagittaire by Simon Kra, at 6 Rue Blanche, Paris.

colony, whose ostensible occupation is chiefly fishing. Here is an opportunity for France to exemplify her enthusiasm for international co-operation.

It is not my purpose to go minutely into the situation in the United States; what has been said above is only in the endeavour to show that no country can stand alone in this warfare; that the welfare of each depends now upon the co-operation of all; that the weakness or ineffectiveness of each or any is a source of peril to all. Isolation is both a suicide and a crime against the world.

The intentions of the United States never have been open to question; I know of nobody who questions them. The deadlock in the Second Opium Conference, the withdrawal of the American delegation from the conference, and the resulting defects in the convention finally adopted (in so far as it may be supposed that continued American participation might have made the result more satisfactory) grew out of the insistence of the Americans upon the letter of the instructions which bound them, embodied as they were in a resolution of both Houses of Congress approved by the President:

> *Provided*, That the representatives of the United States shall sign no agreement which does not fulfil the conditions necessary for the suppression of the habit-forming narcotic drug traffic as set forth in the preamble.

Vital in the purview of that preamble was definite limitation of the production of *raw material* "in such a manner that there will be no surplus available for non-medical and non-scientific purpose"; also definite steps toward carrying out the provisions of the Hague Convention on the subject of the suppression—"effective,"

even if " gradual "—of opium-smoking. The Americans would tolerate no exclusion of " prepared " opium from the consideration of the Second Conference, especially inasmuch as the First Conference had done nothing substantial about it. They could not sign, under their instructions, any convention which left out of account by far the largest part of the production and use of opium. They refused to be party either to the dumping of responsibility upon China for the illicit traffic in opium, or to permitting the plight of the Orientals to be left at a standstill. Most of all they protested against making *conditional* what in the Hague Convention had been accepted as *obligatory*. This was about production of raw material; they did not lay their stress on the question of *limiting manufacture*.

I do not know whether there are constitutional barriers which would operate in the United States against an attempt to carry out the pledge which we assumed under the Hague Convention and have not as yet complied with —to limit manufacture. That is a question for lawyers and courts. I know of no such attempt, beyond the indirect and rather feeble one of trying to control the importation of raw material, including flat prohibition of the import of opium for the manufacture of heroin; nor of any proposal by anybody to amend the Constitution of the United States or of any State, so as to permit the carrying out of our contract with the other nations. Our best excuse would have to be that none of the other parties had done any more than we!

The problem of controlling production, whether of the raw material or of manufactured drugs, is full of diffi-

culties, none of which can be met by insinuations or recriminations between the countries concerned. Each must recognize the practical difficulties with which the others have to contend. It is undeniably true that given the same, or increasing demand, and an uncontrolled source of supply, any curtailment of authorized production and distribution will be answered instantly and *ipso facto* by increase of smuggling, along the line of least resistance. India at least controls her production, knows the extent of it, and sells it only to countries which certify that they want it for lawful purposes. But without any control or accounting worthy of the name opium is produced in Persia, Turkey, China, Jugo-Slavia, Greece, Afghanistan, Russian Central Asia, Siberia, *et al.*, and the governments get out of it what revenue they can. In some cases that revenue is a substantial if not preponderant part of the whole support of government.

But governmental revenue is not the only consideration. There is the question of the livelihood of the cultivator, and the economic interests of the various classes concerned in the production. Persia filed with the Second Geneva Conference a remarkably candid official statement, acknowledging that her production of opium had got out of hand; pleading the enormous practical, social, political and economic difficulties thwarting any effort to suppress it, and begging for help. Its landowners, its politicians, and even some of its religious leaders, it would appear, are deeply involved in the business; its agricultural labour is greatly dependent upon poppy-cultivation. Every effort of the government to interfere results in social and political unrest; anything of a really drastic character probably would provoke serious disturbances if not revolution. It is pointed out also that

even if the cultivation of substitute crops were undertaken on any large scale, great difficulties would confront their marketing by reason of the absence of adequate means of transport. Persia has only 350 miles of railroad; few practicable roads. And opium, as compared with wheat, or tea, for example, is a thing of small bulk and easy transport. A quantity of large money value can be carried on one donkey or camel, or on a man's back. Persia asked for an investigation of the situation; more particularly for a large loan with which to begin the work of substitution; to provide tools, seed, fertilizer—and education. The conference, after a long and more or less futile discussion in committee, considered a proposal to have an international commission investigate the Persian situation; but in the end it came to nothing practical—a vague general reference to the Council of the League of Nations to "examine" the suggestion.[1] And Persia signed the convention of the Second Conference with a reservation completely dependent upon compliance with her request for financial aid.

When you come to the question of the substitution of other crops for the revenue-producing opium, such as wheat, cotton, tea, silk, or what not, and the institution of new industries to utilize them for export, you run at once into the obstacle of old treaties and other conditions preventing the raising of customs-duties to protect such industries. Also things like mortgages on the existing opium revenue! The matter of tariff-autonomy arises the moment you ask Siam, for instance, to forgo the very large proportion of her revenue which comes from opium. She is tied up by ostensibly perpetual treaties, with powerful neighbours hitherto reluctant to waive

[1] See Article V of Final Act, Appendix C, page 279.

any advantage. That is one reason, among others, why sophisticated Orientals make their own cynical reservations when "West of Suez" makes pious professions on the subject of opium, and urges the substitution of crops and the introduction of new industries.[1]

However, against the protestations of the opium-raising countries on the subject of crop-substitution remains the fact that only certain regions are practically available for the poppy; that usually it is a part-time crop. In some regions another crop is planted immediately afterward. Ordinarily the cultivation of the poppy comes at a time when the peasant is least occupied with other work, and in any event the cultivation and harvesting are not particularly laborious. The returns are quick and sure. Other things being equal, the farmers return to poppy-cultivation *because it pays* better than other things. And precisely on that basis alone, the near-sighted governments predicate their taxation.

Near-sighted, yes. . . . In my New England garden I willingly complied with government instructions to uproot and destroy my fruitful rows of currant and gooseberry bushes—why? Because it was officially averred on authority of science that those plants were the intermediaries for the transmission of the "white pine blister-rust" which threatened New England's lumber industry. And all of the States have made and expensively enforced quarantines to keep the "gipsy" and

[1] Since writing this paragraph I have learned of promising negotiations between Siam and certain other governments contemplating the abrogation or modification of these treaties in the direction of tariff-autonomy. Inasmuch, however, as there is many a slip between even the most satisfactory negotiations and actual ratification; as there will still remain the ever-present "most-favoured-nation" clause to nullify any partial or individual concession, I shall let it stand. Also there will survive the supercilious treatment of China in these matters, and all the abuses of "extra-territoriality"—off the same piece.

" brown-tail " moths and parasites of corn and other crops, and foot-and-mouth diseases of cattle, from crossing the imaginary lines between the States. Poppy plants and coca-leaves—are they not also subjects of industry and commerce, of profits and revenue ? If the interests of mere people stand in the way, so much the worse for the people ; all the more if they are of what we are pleased to regard as " inferior race." And yet—slowly we are coming to recognize in " mere people " of all races not only our brethren, but productive capital of the most important and valuable kind, compared with which even lumber and " living hedges " and cattle are relatively secondary. We have to acknowledge that government must have its revenues. But at any cost ? To be sure, we do fight hard and spend lavishly to keep out of our countries and suppress infectious disease ; but there operates there the factor of Fear : fear for self and loved ones. Not yet have the governments, not to mention the masses of the people, seen in the narcotic traffic the occasion for that kind of fear, under stress of which they will begrudge no cost and regard the trafficker precisely as they would a trafficker in the plague—as the common enemy.

The trafficker. . . . It may seem fantastic to envisage a vast organization, with tentacles reaching out into all the corners of the earth, to distribute the excessive production to the ultimate addict and to help make new ones as the production increases. Nevertheless the farther one pursues inquiry in this field, the more the facts concur in that significance. There is something more than coincidence, something unerring and exceedingly sinister, about the

way in which the channels of detected illicit traffic lead back converging almost invariably to a very few centres, a very few manufacturing concerns in a very few places in a very few countries. In the nature of the situation, this is to be expected. A trade of such magnitude naturally must have its establishment: its centres of large-scale production; its body of information and code of strategy; its system of distribution and routes of traffic from definite and ascertainable places; its known wholesalers and jobbers. Beyond that it works down of course through a shifting army of peripheral delivering agencies and individuals—frequently themselves addicted. Hitherto there has been no person or agency internationally responsible for gathering information about this intricate system, much less any charged with the duty of contending with it. To this day this warfare is being carried on—so far as it is carried on at all—by the governments severally, each for itself, and with about the degree of success that such scattered effort might be expected to attain. The effort thus far has been chiefly that of each to protect itself from the output of the others, while at the same time being careful to conserve its own commercial interests in the business!

This is not necessarily to imply bad faith on the part of any. It is simply the situation naturally arising out of the psychology of a commercial world which has not yet recognized the intensity of this peril; has not yet created an international unity of fear and of purpose, or machinery for common action. And some are still doggedly, cynically intent only upon making the most of the situation "while the making is good."

An important part of the duties assigned by the new international drug convention, adopted by the Second

Conference at Geneva, to the Central Board therein provided for, is that of watching " continuously . . . the course of the international trade " in narcotics. Inevitably that will mean a rapidly growing body of information about the illicit traffic, and for that purpose a properly manned and equipped service of investigation. Assuming the necessary ratifications to put the convention in force, the entire usefulness and success of the Central Board will hang largely upon the willingness of the nations to tolerate and support that part of the work, without which the other activities of the Board will be relatively futile. In any event, it probably must be at least two or three years before the Central Board can be appointed and begin to function. As we shall see later, the conditions precedent even to the coming into force of the convention are ominous of substantial delay.

Meanwhile the officers charged with the enforcement of the anti-narcotic laws of such governments as have thus far taken this matter seriously are running continually across the lines of communication of two perhaps differing but frequently co-operating and sometimes coinciding groups of international smugglers. One is the closely-knit organization of Europeans and Japanese and Chinese individuals, dealing in the manufactured drugs, largely from Germany and Switzerland ; the other a more scattered and less perfectly co-ordinated congeries of syndicates and individuals, to a considerable extent of Chinese nationality, dealing in " raw " and " prepared " opium, especially from Turkey and Persia, but also to some extent from India and China, in the Far East particularly and chiefly engaged in smuggling it into China. This distinction between the groups of smugglers is, however, largely theoretical ; for the illicit traffic in drugs and opium

goes hand-in-hand, merging, and in most cases coming down at last to delivery through the same agencies and individuals. Moreover, the personnel and machinery which handled opium in the former time when the import of Indian and other opium into China was lawful is to a great extent still extant ; retaining its special and detailed knowledge of sources of supplies, markets and methods of distribution. It is a fact, and natural, that constantly are turning up in the smuggling cases brought to light many of the same individuals who used to be active in the lawful traffic. The old-time " farmers," in such places as Hong Kong and Singapore, now replaced by the government monopolies, were ideally equipped and possessed of a highly-trained personnel. It was largely because of the disclosure of their irregularities that the " farms " were abolished. They constitute a ready-made organization for the use of the international smuggling system. They never had any difficulty in raising the tremendous amounts of capital which they paid for the " farming " privilege, although on the face of the figures one hardly could detect in the legitimate business the attraction of the investment.

The activities of the various governments continually cut the lines of communication of these interacting smuggling groups ; but they grow together again speedily and sprout in new directions after the fashion of the fabled hydra. The hydra, you will remember, could grow again any severed head except the immortal middle one : when Hercules cut off that one, the creature died. The narcotic trade has two such heads ; one in the production of the plants from which they make the raw material ; the other in the factories, where out of that raw material they make the drugs. The first is a very difficult matter. The second

has its strength in the callous commercial greed of the manufacturing nations. Nothing but an awakened fear and sleeplessly vigilant co-operation among those nations can accomplish that execution.

A striking indication of the widespread ramifications of the smuggling organization is to be found in the following list reported by the British Government of its tracing-down of persons engaged in the traffic. Let the official report tell it :

> Information obtained in the course of investigations into the illicit drug traffic in other countries has from time to time been communicated by the British Government to the Governments concerned. Information implicating firms or persons within their jurisdiction has been communicated to the following countries :[1]

Country.	Number of Traffickers.
Germany	28
Japan	22
Switzerland	5
France	5
Netherlands	3
United States	3
Belgium	2
Austria	1
Cuba	1
Denmark	1
Esthonia	1
Italy	1
Spain	1
Sweden	1

> In some cases the British Government has been informed that the information has led to the prosecution

[1] In the report the countries are arranged alphabetically ; I have arranged them in mathematical order. One may observe without implying criticism, that Great Britain here reports no smugglers of British nationality.—J.P.G.

and conviction of the persons implicated. In the case, however, of the most important firms engaged in the traffic, such as ——[1] at Basle and ——[1] (Hamburg), no action has up to the present apparently been taken to suppress their operations. No information has yet been received from Japan as to action taken against any of the firms to which the attention of the Japanese Government has been drawn.

The intricate character of these transactions and the difficulty of detecting them, as well as the impossibility of preventing them without closely interlocking co-operation on the part of *all* the producing nations, and an absolute control over manufacture, may be seen in one instance related in a report of the British Government for 1923. That was the case of a seizure at Hong Kong, October 11, 1922, of 2,500 ounces of cocaine and 2,400 ounces of morphine, and the arrest of a Japanese citizen who was attempting to smuggle the drugs into the colony. From papers in possession of the smuggler it was learned that he was assisted in his operations by a British subject in London. This Englishman obtained in Paris the morphine which was of British manufacture and the cocaine which was of French.[2] The morphine was sent to Basle in Switzerland, where it was concealed in the upholstery of a shipment of furniture and shipped via Marseilles to Hong Kong, on the same ship in which the

[1] The report gives definite names: but for sufficiently obvious reasons, I do not feel called upon personally to assume that responsibility. The British Home Office doubtless will furnish the names to any responsible inquirer.

[2] Great Britain does not manufacture cocaine from the coca-leaf. It was because one British concern did an illicit business in morphine by shipping it to a branch in France, whence it was re-exported (despite the pledge of France not to allow re-export) that the British cancelled the licence of the firm, which is now extinct.

Japanese smuggler carried also the cocaine in his personal baggage.

It further appeared that this Japanese was operating for a Japanese firm having branches in Amoy, Formosa and Osaka, and that they were in connivance not only with this particular Englishman, but with other drug traffickers, from Copenhagen, Hamburg, Brussels and other continental places, including Basle, and that their lines led out not only to Japan, but especially to Vladivostok, whence had been obtained a large number of import certificates by means of which drugs might be "lawfully" obtained.

> The usual method (says this British report) was to purchase the drugs in various countries, export them to Basle, and there pack them for smuggling as sugar of milk or other innocuous chemicals. . . . Many firms abroad worked in collusion, notably —— of Basle, and —— of Freiburg-Baden, both of whom have been found to have been carrying on an extensive smuggling trade with the Far East. The Freiburg firm are known to obtain much of their narcotics from —— of Switzerland, and to smuggle the drugs from that country.

The arrest and conviction of the Englishman in London interrupted a scheme to send $200,000 worth of morphine to the Far East, and still another by which the Basle and Freiburg concerns "were arranging to send out regular shipments of drugs to Shanghai disguised as chlorate of potash."

Indications of a definite international organization turn up constantly in connection with large-scale seizures. When $500,000 worth of narcotics were seized in a New York hotel in September, 1922, one man who was arrested was found to have been making regular trips to Europe

to purchase drugs for the nationally-operating " ring " which had its head-quarters in that hotel; another was alleged to be the " East Side distributor " for the business; that is, the person through whom the drugs found their way into the great tenement house district of the city. And that the operations interlocked with those of the smugglers of raw opium from the Orient was shown by the fact that among the things seized were plates for the printing of Chinese labels for " prepared " opium made in the United States from smuggled raw material.

From the addict's point of view—whether he eats or smokes opium, injects morphine or whiffs heroin or cocaine —it makes no difference, the narcotic effect being the same, whether the drug is " licit " or " illicit " ; whether it has come to him through an authorized agent, tax and duty paid, or by the hands of smugglers. From where he sits, government and smuggler are simply business competitors. To too large an extent do the governments look at it this way also : seeing the smuggler as one who is subtracting from revenue.

The difference in possible attitudes appears in such a matter as the policy towards disposal of seizures and rewards for making them. The Chinese Central Government invariably destroys its seizures of narcotics, and thus achieves a dead loss ; not only in respect of the destruction of exceedingly valuable material which is utterly unlawful and contraband ; but because of rewards paid to informants and to officials who make the seizures. There has been of late some tendency to deprecate undue zeal in searching for narcotics, on the theory that the customs

service is primarily a revenue-collecting administration rather than a reward-seeking police force. The result is a relatively smaller proportion of seizures, so that they do not maintain even the conventional ratio of 10 per cent of the smuggling. As long as governments see narcotics as a subject rather of revenue than of ruthless suppression, this condition will continue.

One of the most effective possible measures for suppressing illicit traffic is not resorted to at all: that is, the heavy bonding of all persons having anything to do with this business. The Second Opium Conference at Geneva in its Final Act (Section IV[1]), "draws attention to the advisability in certain cases of requiring dealers who are licensed by the Government to trade in the substances covered by the Convention to deposit or give sureties for a sum of money sufficient to serve as an effective guarantee against their engaging in the illicit traffic."

When Dr. Chodzko, the delegate for Poland, proposed this measure, Sir Malcolm Delevingne expressed the opinion that severe penalties provided a sufficient deterrent. But of what use is a severe penalty written in a law in the case of a criminal who has consummated a prodigious transaction and fled the jurisdiction—especially in absence of provision for extradition? If there were a cash deposit or bank security commensurate in amount with the possible magnitude of the transaction, it would not injure the law-abiding and it would go far to deter the criminally inclined. Even if the government itself should pay the premiums upon the bonds of the manufacturer and wholesaler, the occasional very large forfeiture might prove even a source of

[1] See Appendix C, page 298, in this book.

revenue cleaner than some of that derived from subsidizing vice. The organized illicit traffic exists only because it is enormously profitable. It must be made too costly to pay.

It all comes back at last to the question of fundamental attitude, on the part of governments and of the people behind the governments. So long as this business is regarded simply *as* a business ; in which anybody who can get licensed in absence of positive evidence of unfitness is entitled to engage at will in adding to the total production of these poisons ; so long as the poisons themselves are regarded as mere commodities like grain or shoes and allowed to move about subject only to certain mild technical restrictions without too vexatious scrutiny of source and destination—the overproduction will continue to plague the world by its automatic competitive search for and creation of new markets.

As things are now, a nation can wear a countenance of cherubic innocence befitting a famous, unquestioned and jealously-guarded position of neutrality in the matter of armed warfare, and yet, as a large-scale producer of manufactured narcotics, be inflicting by a default as deadly as malice irreparable wounds upon its neighbours far and near.

A great nation, regarded and regarding itself as of superior civilization, assuming or inheriting rule over a vast population conventionally looked upon as of " inferior " race, could by sheer indifference to opportunity and governmental duty accept complacently ancient ignorance and time-honoured addictions retarding the development and lowering the vitality of masses of its subjects.

There could be such a thing, I suppose, as a nation

coveting for its own overcrowded population the territory of a neighbour, and exhibiting at least a gravely-winking governmental tolerance towards smuggling into that territory—even by some of its own nationals—of great quantities of an agency of sure though "peaceful" destruction.

A government whose avowed policy it was not only to undermine other governments but to overturn a whole civilization and social order, might, I suppose, with whatever misguided folly, think it judicious strategy to institute or encourage the large-scale production of raw material such as the poppy and the coca shrub, and even to establish new manufactories of narcotic drugs, with a view of spreading them abroad.

There could be such a thing, I suppose, as a nation wholly and dramatically disarmed after defeat in a great war, and ringed about by powerfully-equipped and anxiously-vigilant conquerors; and yet, technically expert and inexhaustible in the production of narcotics, in a position and not unwilling to supply their populations with substances for addiction more insidious than disease . . . revenge direct and strategy indirect, against some future Day.

I refuse to believe—even though others may—that such implications as these fairly represent the character or the considered intent of any of the peoples whose national identity might be guessed from these fantastic suggestions —however much certain utterances and actions of individuals among them might seem to justify the insinuations. I refuse to believe that decent, normal folk of any nation or race, for the sake of some imaginary national political or commercial advantage, or of governmental revenue—not to mention dividends to shareholders—

will consent in the long run and in the light of a clear knowledge of the facts, to a policy predicated upon the assumption that it is tolerable to involve the ruin of their fellow-men. Least of all when they come to realize that the policy involves an inevitable by-product and parallel of ruin at home.

CHAPTER V

THE PHASES OF IT IN INDIA

HISTORY and circumstances, together with a certain amount of propaganda—some of it maliciously mendacious; some merely misinformed—have served to make Great Britain in general, India in particular, the visible centre of the opium problem in the Far East. France, Holland, Portugal and Japan, to say nothing of the purely Oriental governments in Siam and China, still less of those in the Native States of India, all have subject dominions in which opium features largely among the sources of revenue, and none of these States, with the possible exception of Japan in Formosa, has done any more than the India Government has done, if even as much—to control and reduce the production of opium. The Great Britain and the India of to-day have not had in the eyes of the world, either fair allowance for the difficulties which they inherited from the long past—their own, that of the East India Company and still more that of the people of India; or fair credit for the intent and the measure of success achieved in "gradually" circumscribing the evil in India. Or for what they actually did and are still doing with reference to suppressing the formerly large and profitable exportation of Indian opium to China. Both governments have been and are now targets for attack not always fair or ingenuous. Nevertheless they remain in the eyes of the world, including

many sincere friends of both, conspicuously responsible in the present situation. And this despite the India Government's own continuous aggressive, even somewhat over-anxious, propaganda in defence of its policy.

If the cultivation of the poppy and the production and use of opium within a country were exclusively an internal affair, not within the competency of international discussion—not to speak of intervention—the Government and the people of India might be left, so to speak, to stew in their own poppy-juice, awaiting the slow growth of popular as well as administrative intelligence. But, unfortunately, neither the opium nor the ideas of the India Government on the subject have been confined within its legal jurisdiction. Both have overflowed and are overflowing into the outside world, and have thus become a subject of international concern. For several reasons.

In the first place, the Indian apology for the use of opium, and its long-continued contention that it is not especially harmful, afford the backbone of the general *laissez-faire* attitude of the Far Eastern governments. If Great Britain and India should once make a definite unequivocal declaration of their honest belief that it is all bad business and that they will spare no effort to abolish it, it would forthwith change the whole face of the situation. If either should go so far as to say: "No matter who else makes profit out of it, we shall not." . . . In 1842, after China had paid $21,000,000 indemnity to Great Britain for interfering with the British opium smugglers, and had lost Hong Kong and control of the "Treaty Ports," the Emperor Kiang said:

"It is true that I cannot prevent the introduction again of this flowing poison. Gain-seeking and corrupt men

for profit and sensuality will defeat my wishes; but nothing will induce me to derive revenue from the vice and misery of my people."

Second, there is, as we shall see presently, excellent reason to suspect that the ancient addiction to opium eating in India—and the other habitual uses of opium elsewhere in the Orient as well—is an important contributory factor in the virulence and excessive mortality of the cholera, plague, malaria, and other infectious diseases which are endemic in that part of the world and a constant menace to other nations.

Third, India produces a great deal more opium than is "needed" for its own domestic consumption, legitimate or illegitimate; enough by itself to supply all the opium smokers in the world; and that means that vast quantities produced in Persia and Turkey—not to mention China or the smaller producing regions—are set free for the illicit traffic.

This is not to endorse the popular impression that it is the opium of India which is now spreading out through the world. That impression is not justified. In point of fact, India is the only country producing opium on a large scale which has its production under real control, knows on the whole where it goes, and gives dependable statistics. The India Government has been loyal to its pledge to permit none of its product to be exported to China, or to any other country whose laws prohibit import of opium; not only insisting rigorously upon official import certificates from the country of ostensible destination, but even in suspected instances taking steps to investigate the conditions surrounding their issue. It has declared its readiness to cancel any contract upon request, and upon its own motion has begun to cut down the supply going

under its long-standing contract with Macao, in view no doubt—though it does not say so—of the suspicion as to the use Macao makes of some of it. I will go so far as to say that in my judgment India has more scrupulously, anyway more effectively, complied with the Hague Convention than any other country, not excepting the United States of America. Save for such Indian opium as may be smuggled over the northern frontier (an unknown amount, probably not very large), the entire Indian product is either consumed in India or passes out lawfully through the hands of authorized officials, including the " farmer " at Macao, into the other Far Eastern territories for the smoking which is " temporarily " permitted under the Hague Convention. The declared domestic policy of India is gradually to reduce the production and increase the price, and their figures indicate considerable progress in that direction ; but they take good care not to push the price to a point where smuggled goods will invade the market.

I am speaking here of *British* India. As for the vast mysterious territory of the Native States, the India Government acknowledges[1] that it knows nothing whatever about the production there of the famous " Malwa " opium, so much admired and preferred to all other by the Chinese, who used to import virtually the whole product. The India Government is sustained by a fine faith that inasmuch as the Native States have no direct access either to the sea or to Chinese territory except across its own, it therefore can guarantee that none of the Malwa

[1] See *Indian Year Book*, 1924, page 823. " In the native states of Indore, Gwalior, Bhopal, Javra, Dhar, Rutlam, Mewar and Kotak the British Government has no concern with the cultivation of the poppy, or the manufacture of the opium. . . . No statistics of cultivation or production are available."

opium gets out unbeknownst. The bare truth is that the India Government does not know whether it does or not.

For the same reason as that applying to Chinese opium ; namely, its relatively low percentage of morphia, the Indian product cannot compete ordinarily in the world market as material for the manufacture of drugs. But it can and does compete in China with the native product ; not only because its morphia-content is higher, but because the Chinese like it better—nobody seems to know exactly why.

The central fact in the opium policy of the India Government is that it is frankly, even boastfully, grounded upon the report of a Royal Commission, appointed by Queen Victoria, September 2, 1893, in accordance with Parliamentary action, and reporting under date of April 16, 1895. That report to this day is flung in the faces of all objectors as if it were Something issued from Sinai, a " faith once delivered to the Saints."

Look at the personnel of the Commission, which was presided over by Earl Brassey.[1] Among its nine members it included Sir James Broadwood Lyall, former Governor of the Punjab ; Sir Lakshmiswar Singh, the Maharajah of Darbangha, an Indian dignitary and large landowner ; Arthur Upton Fanshawe, of the Indian Civil Service, Director of the Indian Post Office ; R. G. C. Mowbray, a Conservative Member of Parliament avowedly opposed to interference with the *status quo ;* Haridas Viharidas, late Dewar (Prime Minister) of Junargarh, representing the Native States of India—which produce the famous

[1] Thomas, Earl Brassey, better known to the public perhaps through the first Lady Brassey's delightful account of their voyage round the world in Lord Brassey's yacht " Sunbeam."

Malwa opium ;—and Sir William Roberts, M.D., a prominent English physician, and the only medical member of the Commission. Only two of the nine members represented the anti-opium movement: Arthur Pease, Esq., who signed the report without publicly audible demur, and Henry J. Wilson, M.P., who early in the proceedings took the place of W. S. Caine, M.P., at first appointed but unable to serve.

One need be neither cynical nor especially sophisticated in practical legislative politics to discern with half an eye that this reverend body, appointed to satisfy an increasingly insistent protest in England against the opium traffic, was meticulously and skilfully " hand-picked " for the particular purpose of acquitting the *status quo*—to " whitewash " the opium practices of India and the opium policy of the India Government. This is clear to even a casual reader of the Parliamentary debates leading up to the appointment of the Commission : of the Report and accompanying documents, and especially of the vehemently dissenting report of Henry J. Wilson. It is evident beyond doubt that—as might have been expected—the Commission was carefully shepherded throughout its travels in India, saw and heard in the main exactly—and only—what the India Government desired it to see and hear. And reported accordingly.

The India Government, in its official pamphlet, " The Truth about Indian Opium," as late as 1923 reiterated the statement, which originated with the Secretary of the Royal Commission, that the Society for the Suppression of the Opium Traffic

> . . . itself recorded the opinion that the appointment (of the Commission) constituted " the greatest and most solid forward step that the movement for the suppression

of the opium trade has yet made," and considered that the Commission was "as fair-minded and impartial a tribunal as the Society could have desired to hear its cause."

This, like some other things in that official pamphlet is less than ingenuous; for in point of fact, the endorsement thus quoted was not made by the Society; it was an exuberance of optimism on the part of the Secretary, J. G. Alexander, in an editorial in *The Friend of China*, before the Commission was appointed—almost three years before the publication of the report.

The real views of Mr. Alexander about the Commission are to be found in his naïve and sweet-spirited contemporary letters,[1] written on the spot and at the time when he was tagging the Commission about India—as welcome as a wet and waggy dog!

"We all appreciate," said Lord Brassey to Mr. Alexander upon one occasion after the latter had testified, "that in the encounter in which you are engaged with the Government of India upon its own ground, you are placed in circumstances of no ordinary difficulty."

Mr. Wilson's dissenting report exhibits vividly and beyond any common-sense doubt the tactics of the India Government: one can see that a good deal of pains was taken to control the impression that the Commission should receive. Anti-opium evidence was, let us say, not encouraged. Mr. Wilson more than intimates that some witnesses whose testimony might have been heretical did not appear by reason of being diverted by one means or another.

Be all this, however, as it may. Give to the Commission

[1] *Joseph Gurney Alexander*, by Horace G. Alexander (his son), The Swarthmore Press, Ltd., London. (Preface dated July, 1920.)

the utmost credit for both intelligence and good faith. Remains nevertheless the dismal fact that its Report was made and published in 1895—*thirty years ago!* In those days morphia was honestly supposed to have both prophylactic and curative properties—to be in the true sense a remedy.

At the Shanghai Opium Conference in 1909, Sir Cecil Clementi Smith, Crown Advocate at Hong Kong, following Dr. Hamilton Wright's introduction of a resolution in favour of restricting the use of opium to "legitimate medical practice," said:

"To put it perfectly plainly, and to be entirely frank, the British delegation is not able to accept the view that opium should be confined simply and solely to medical uses."

The Indian policy stands pat. The Royal Commission's Report of 1895 "being dead, yet speaketh." In the words of "The Truth about Indian Opium," its findings "still stand as a complete justification of the Government's policy." That pamphlet in 1923 reiterated a declaration of Lord Hardinge's Government of India in 1911, to the effect that the use of opium was not a serious detriment to the people of India; that the drug was a "treasured household remedy" and any attempt to suppress it, even if it could succeed, would inflict great hardship on the people of India, would be fraught with the most serious consequences to the people and the Government, and that "it is not necessary that the growth of the poppy and the manufacture and sale of opium in British India should be prohibited except for medical purposes."

It must be remembered that opium is in India not only a "treasured household remedy," or, aside from that, merely a means of miserable addiction of poor abandoned

wretches. It has, for one thing, a wide use among cattle, not alone as a veterinary remedy, but as a stimulant—I suppose to divert their attention from what it means to be a cow in India! Nay, more, . . . in the Indian Assembly at Delhi on March 13, 1925, Mr. J. L. McAllum, representing Burma, objected to statistics cited during a debate on the Government's opium policy, because they took no account of the consumption of opium by elephants, which, he said "take opium in large doses."

The truth is that the greatest use of opium in India is as a "booze," not for cattle, or even for elephants, but for people. In that same debate at Delhi one of the principal speeches was by a native Indian, Dr. S. K. Datta, and Sir Basil Blackett, the Finance member of the Cabinet, characterized it as a moderate and sincere exposition of "the temperance view." Mr. Cosgrave pleaded for the coolies of Assam, who, he said, had found it preventive of the evil effects of hard work and illness. "Why," he asked, "should the rich members of the Assembly drinking wine in Delhi deprive the coolie of his solace?"

Raw opium, dissolved in water or other liquid, is, as the Royal Commission found, generally used in India as a stimulant, with or without visibly harmful effects, quite as alcohol in various forms is used in "enlightened" lands; in social gatherings, and even in certain religious and quasi-religious ceremonies. There is some reason to suppose that its vogue as a "booze" is due in part to the more rigid Mohammedan and Buddhist objections to alcohol. Also, it is claimed by some persons that its use as a stimulant is less harmful than that of alcohol in a very moist, hot climate.

However these things may be, the practice is so deeply

imbedded in the social fabric, in ancient traditions and customs, that one may fairly accept the view that it would be quite impossible to enforce, and might be politically injudicious to attempt to enforce, any sort of abrupt prohibition ; even though many persons in a position to know insist that the natives, as a whole, would welcome it. In any event, the problem is obviously one of education of the people, as well as of the officials, native and European, to the fact that opium is not a remedy but an active, injurious poison, and that its use after the Indian fashion is in no important respect better than that of alcohol or than the smoking of opium—which all respectable Indian folk conventionally affect to despise.

The National Christian Council of India, Burma and Ceylon has recently issued a pamphlet[1] in which is amassed a formidable body of virtually unanimous testimony from persons of many sorts and classes, native and other, including numerous doctors, familiar with the use of opium in India, to the effect not only that it is injurious *per se*, but that its medical and " semi-medical " use constitutes but a small factor in the universal consumption ; that anywhere from 40 to 85 per cent of it is " mere addiction "—bad habit.

The India Government refuses to carry on any sort of propaganda among the people as to the injurious effects of opium-addiction. Mr. Campbell, then chief delegate for India, in November, 1924, asserted in the First Opium Conference that when the Government attempted any sort of propaganda the people invariably did the opposite. In support of this extraordinary statement he cited the alleged fact that in the campaigns against the plague the

[1] *Opium in India*, published by National Christian Council of India, Burma and Ceylon ; 111 Russa Road, Calcutta, 1924.

natives had defied the Government instructions, but when the Government left them to their own devices, they carried them out of their own accord! Mr. Campbell was not at pains to explain the instance to which he doubtless had reference: when during a battle with plague in India devotees of a certain religious sect, opposed to the killing of animals for *any* reason, benignly saved the lives of plague-infected rats which the Government was trying to exterminate, and released them in other places, thus spreading the pest.

So, when the First Conference inserted in its draft Convention Article VII, providing that

> The Contracting Powers shall use their utmost efforts by suitable instruction in the schools, dissemination of literature and otherwise, to discourage the use of prepared opium within their respective territories,

it was largely at the instance of the Indian delegation that these words were added:

> *except where a Government considers such measures to be undesirable under the conditions existing in its territory.*

The Netherlands delegate had some compunctions too, suggesting that propaganda against the use of opium might suggest the idea to folks who hadn't thought of it!

To be sure this had reference especially to the smoking of opium, which, as a rule, is not practised in India, except among the Chinese in Burma.

In 1925, the India Government is subsidizing the cultivation of the poppy by *loans without interest*, purchasing under exclusive power the entire crop at prices fixed by itself, and selling it to its own people; as well as to the rest of the world by periodical auction at Calcutta, for

export subject only to the presentation of an import certificate attesting another government's approval of the same.

What if, instead of subsidizing the poppy-crop, the India Government should put a premium upon the cultivation of other crops instead, by withholding such loans, and giving its financial advantage only to such farmers as would raise—say *wheat?* Wheat, for lack of which at times India suffers from famine. Discover some prospect of this in the following—it is from paragraph 2 of the official report of C. L. Alexander, Secretary of the Board of Revenue, to the Separate Revenue (Opium) Department of the United Provinces; dated March 3, 1921:

> 2. As the previous year had been an unfortunate one and cultivators were consequently in need of money, it might have been expected that settlements would have been obtained without difficulty for the full area required; but the area fell short by 16·15 per cent. . . . This shows that the price offered for opium was still inadequate. An average return of Rs.33·1 per bigha, even taking into account the prices obtained for seed and in some cases leaf and trash *falls very far short of the profit obtainable from the cultivation of wheat, the competing crop*. . . . It is satisfactory that the price of opium has been raised again, and will in future be Rs.15 per seer. The Board hope that this will lead to a fuller area being obtained next year.

There appears the same significance in paragraph 4 of the report of Mr. C. E. Wild, the Government Opium Agent, from the opium factory at Ghazipur, dated January 18, 1921:

> 4. The season was again an unfortunate one for the crop. . . . Showery and cloudy weather at the critical time of lancing checked the flow of the latex and in the end the yield was very disappointing. *This misfortune*

was accentuated, as wheat, the chief competing crop, did not suffer and gave excellent results.

To make the picture complete, and vision the farmers of India insisting upon raising poppies and ready to revolt if it is interfered with, note paragraph 23 in Mr. Wild's report:

> 23. The thanks of the department are due to Mr. H. Young and Pandit Champa Ram, Special Managers, Courts of Wards, for their assistance *in inducing the men on their estates to engage for poppy*. Quite an appreciable area was obtained through their help.

These reports[1] also dwelt considerably upon the fact that in the Ghazipur factory the India Government was, at that time, producing opium alkaloids from the thin *dhoi* (a liquid by-product of the packing of raw opium). "Unfortunately," laments Mr. Alexander, "in August, 1920, all shipments of alkaloids were stopped under telegraphic orders from the Government of India, and it was necessary to find other markets." Mr. Wild reported (paragraph 14) that "by advertising our laboratory products a large demand for medical opium in cake and powder is arising." As we have seen, however, the production of opium derivatives has not been and probably will not be, except under extraordinary conditions such as existed during the war, a practicable industry in India. It is definitely asserted by those in a position to know, that it is not done there to any considerable extent.

Apologists for the practices in India seem always to take it for granted that the *eating* (and drinking) of opium,

[1] Published at Allahabad: By the Superintendent, Government Press, United Provinces, 1921. No. 179/V.O.334(10) of 1921.

in vogue there, are somehow less noxious than the *smoking* of it, as practised by the Chinese and others in the Far East. There is no substantial justification for this, the Royal Commission of 1893 or any other ante-diluvian authority to the contrary notwithstanding. To ordinary common-sense it would appear obvious that to swallow *all* of the morphia in a dose of opium would be more injurious than to inhale such portion of it as could be obtained from the smoke of burning in a pipe. After one of the apologists for opium eating had spoken in the Second Opium Conference of the alleged injurious effects of *smoking* as compared with *eating* opium, someone said to him :

" Very well, I have two cigars. I propose to demoralize myself by *smoking* one of them, while you *eat* the other."

Dr. Frankland Dent, analysing opium smoking for the Straits Settlements Opium Commission of 1908, found that opium yields only about 1 per cent of its morphia in the smoke, and that only a very small proportion of that would remain on the mucous membranes of the smokers' lungs. On the other hand, Sir David Galloway, M.D., commenting on this in his essay on opium-smoking, remarks upon the presence of little-known secondary toxic products of combustion having nothing directly to do with the morphia-content of the smoke. Probably the same may be said of tobacco-smoking.

Dr. Galloway, by the way, was a member of the Malaya Opium Committee[1] of 1923, and in a paper read before the Fifth Congress of the Far Eastern Association of Tropical Medicine in that year, he said :

> I scarcely think I require to demonstrate to you how much more harmful is the eating than the smoking of

[1] Referred to in Chapter IV of this book, page 57.

> opium on the physical condition of the individual, but there are other pernicious effects which seem to cling to eating opium. The first of those is that the amount which is eaten is far in excess of the amount which is necessary to neutralize the effects of the smoking which has been given up. The second is that the desire to increase constantly the dose is far greater in eating than in smoking, and thus the earning capacity of the eater is steadily encroached on, and a time comes when he cannot afford to buy even the dross to satisfy his craving, and he begins to look round for a cheaper method of indulgence. *The only cheaper method is morphine injection*, and it cannot be too clearly understood that the unsatisfied opium eater is the potential morphine injector.

Dr. Edward Morell Holmes, President of the British Pharmaceutical Conference of 1900, Honorary Member of the American Pharmaceutical Association, and now Emeritus Curator of the Museum of the London Pharmaceutical Society, writing of "Opium" in the last (1911) edition of the *Encyclopœdia Britannica*, says:

> Opinions differ widely as to the injurious effect of the habit; the weight of evidence appears, however, to indicate that it is much more injurious than opium smoking.

Aside from the representatives of China, Japan and Siam, there were no Far Eastern Orientals in either of the Opium Conferences to speak for themselves. Great Britain, India, France, the Netherlands, Portugal—controlling India, its Native States, Burma, the British Crown Colonies, Indo-China, Java, Macao, were all represented by Europeans. There was no Indian present to speak for the Indian people; nevertheless a loud voice was heard from India, in the form of a petition, signed

by or in behalf of more than a quarter of a million persons, and headed by the names of the Mahatma Ghandi, Ramanandra Chatterjee and Rabindranath Tagore. And it said :

> The undersigned, viewing in the growing addiction to narcotic drugs a deadly menace to individuals and to nations, an insidious, rapidly-growing poisoning of the human race, which can be overcome only by co-operation among all nations, respectfully petition the International Opium Conference assembling in November, 1924, to adopt measures adequate for *total extirpation of the plants from which they originate, except as found necessary for medicine and science in the judgment of the best medical opinion of the world.*

In a dispatch from Santinikitan (near Calcutta) to the Manchester *Guardian* under date of January 12, 1925, Mr. Ghandi is quoted as saying :

> If the whole of the opium traffic were stopped to-day and the sale restricted to medical use only, I know there would be no agitation worth the name. Furthermore, from the moral standpoint, there is no defence of the Indian opium policy.

The All-India Congress Committee, meeting at Ahmedabad, June 27–29, 1924, declared by resolution its opinion that

> . . . The opium policy of the Government of India is altogether contrary to the moral welfare of the people of India and other countries ; . . . that the people of India would welcome the total abolition of the opium traffic for purposes of revenue, and . . . that the production of opium is out of all proportion to the medical requirements of India.

In January, 1925, the following telegram to the League of Nations was circulated in the Second Opium Conference, then in session at Geneva :

Allahabad, 10th January, 1925.

Indian National Congress passed following resolution at Belgaum regarding opium traffic : Congress is of opinion that policy of Government of India in using drink and drug habit of people as source of revenue is detrimental to moral welfare of people of India and would therefore welcome its abolition. Congress is further of opinion that regulation by Government of India of opium traffic is detrimental not only to moral welfare of India but of whole world and that cultivation of opium in India which is out of all proportion to medical and scientific requirements should be restricted to such requirements.

At about the same time came a telegram also from Allahabad, attributed to the " Liberal Federation," and saying :

Liberal Federation supports restriction opium medical requirements : Chintamani, secy.

A month later, under date February 18, 1925, there was distributed in the Conference this letter from C. Sankarannair, President of the Indian Social Conference :

Fort, Bombay,
31st December, 1924.

Sir,

As President of the Indian National Social Conference held at Belgaum on the 26th December, I have been requested to forward to you for such action as you may think fit to take, the following resolution, proposed by Mr. Sunder Singh, seconded by Mr. Muzumdar, and unanimously passed at the above Conference, and to call your special attention to the second paragraph of the resolution.

The text of the resolution is as follows :

TOTAL PROHIBITION

This Conference declares that Indian public opinion is strongly in favour of the policy of total prohibition of the manufacture, import and sale of intoxicating drugs and drinks, except for medicinal purposes, and urges the Government of India and Provincial Governments to declare immediately that it is their intention to adopt that policy as early as possible, and to take prompt steps to give effect to it.

This Conference accords its hearty support to the endeavours made in the League of Nations to prohibit the production of and trade in opium except for medicinal purposes, but it is strongly of opinion that the manufacture of and trade in alcoholic liquors, should be included in the international agreement to effect this object.

This Conference expresses its high appreciation of the excellent report of the Bombay Excise Committee, and conveys its congratulations to its chairman and members for the exhaustive arguments they have adduced in support of their able plea for Prohibition as the only acceptable policy for India.

This Conference further places on record its gratification at the resolutions passed by some Provincial Legislative Councils, particularly the Bombay Council, recommending the adoption of Prohibition as the goal of Excise policy.

And this Conference empowers the President to communicate to the Secretary of State for India, the Government of India and Provincial Governments, this resolution, and the second part of the resolution to the General Secretary of the League of Nations.

This resolution is particularly interesting and important; not alone because it comes from a formidably respectable and representative body of native Indian people, but because it is welcomed by both the assailants

and the defenders of the India Government's opium policy. By the assailants because it shows that intelligent Indian people indulge in no delusions about opium as a "treasured household remedy" whose disappearance would "inflict great hardship"; they class it with drink, and want it treated accordingly. By the defenders of the opium policy because it calls for prohibition of opium and drink alike, and is therefore, from their point of view, open to all the objections that can be urged against prohibition. They presume that prohibition means illicit manufacture, smuggling and "boot-legging" generally, and that is their whole case against it—as regards liquor and opium alike.

The India Government claims now that the control of the internal situation is no longer in its hands; that it is within the power of the Indian people themselves to establish prohibition of opium if they choose to do so. A memorandum circulated by the delegation in the Second Opium Conference said:

> The control of opium has, under the Constitution introduced in 1919, been transferred to the Legislative Councils of the various provinces, except in one instance, and further restriction of consumption is a matter for those Councils to deal with, and is no longer within the powers of the Central Government. The possibility of further advance in the direction of the suppression of the use of opium depends upon public opinion among the electorate to those Councils, and the Government of India has made it known that it will not interfere with the discretion of the Councils in this matter.

So we come back to the question of education—education of people and government alike. And at that point arises a consideration going far to remove the question from the category of merely domestic affairs.

In the British House of Commons on February 23, 1925, there was an interesting interchange following a question by Mr. Johnston, Socialist member from Dundee, about infant mortality in Bombay, and an answer by Earl Winterton, Under-Secretary of State for India. The inference from Mr. Johnston's question, as it appeared in his remarks, was that the extraordinarily heavy mortality among infants in Bombay was due largely to the all but universal practice in India of " doping " babies with opium.

There is no question about the existence of this practice. Sir William Roberts, M.D., the only medical member of the Royal Commission, devoted a considerable portion of his memorandum (attached to the Commission's Report) to that subject. He had professional compunctions about it, remarking that the practice certainly was " very objectionable " from the European point of view, but warning his English readers against judging it from that standpoint, in view of the " peculiar conditions " surrounding infancy in India, and the alleged " exceptional tolerance for opium of Indian infants." It seems not to have occurred to him that anybody could be given " exceptional tolerance " for almost anything by habituating him to it from his birth !

That is exactly what they do. Dr. Roberts declared that it was the practice, beginning at or soon after birth, to give the infant a daily dose of from $\frac{1}{16}$ to $\frac{1}{12}$ of a grain, and steadily increase it, even to one or two grains, " according to the age and necessities of the child." At the age of from three to even as late as five years the youngster was " weaned " of his addiction. The Royal Commission stated, and so did Dr. Roberts, that in Bombay " children's pills " (called *bala goli*) were especially manufactured, in two strengths of $\frac{1}{6}$ and $\frac{1}{3}$ of a grain of opium each, and flavoured with various harmless spices. Yes, sold like candy.

I do not know whether this delectable confection is still in vogue in Bombay. There was a rather half-hearted denial of it from the India delegation in the Second Opium Conference when Dr. Chodzko, the delegate of Poland, asked about it; but the denial was not insisted upon when the Pole produced the text of the Report. But I do know that the practice of giving opium to babies in India continues. A prominent member of the India Government told me so in Geneva in December, 1924, and Earl Winterton, in the debate referred to above, acknowledged that the matter was under investigation. It is a well-known fact that the Indian women working in the factories or at home, habitually "dope" their babies to keep them quiet while they work. Dr. Roberts said that nursing mothers in India even put opium on their nipples to make the babies take it.

Mr. Johnston, of Dundee, declared in that Parliamentary interchange that the infant mortality in Bombay in 1921 was 666 per thousand: Earl Winterton said it was 178·11. Both cited official authority. The one was probably too high: the other almost certainly too low. The third edition of Turner and Goldsmith's *Sanitation in India*, published at Bombay in 1922, gives the crude infantile death-rate there for the 20-year period 1901–1920 as follows:

1901	574·5	1911	379·8
1902	542·8	1912	448·2
1903	532·3	1913	381·1
1904	459·2	1914	385·1
1905	557·1	1915	329·2
1906	534·7	1916	387·8
1907	423·6	1917	409·6
1908	450·1	1918	590·3
1909	404·7	1919	652·8
1910	413·9	1920	552·2

For certain technical statistical reasons, these figures are subject to some slight discount downward ; but the average works out to approximately 470, and in some years it was far above 500 : which means, to put it bluntly, that of every two children born in Bombay in such a year, one died before he was a year old.

It is unfair, however, to attribute to opium alone the excessive infant mortality in Bombay. There are many other factors : of climate, hot-weather diseases, dirt, flies, general ignorance. We have a very high infant mortality in the slum sections of American cities, and it cannot be attributed to opium.

Be the precise figures of infant mortality what they may, there is one aspect of this question which has been wholly neglected in all the discussions of the habitual use of opium in India that I happen to have seen ; an aspect of such tremendous importance that I cannot understand why it has been so completely overlooked. It ought to be taken very seriously into account by both the defenders and the assailants of the existing opium policy in the Far East, as well as by those in Western countries who are contending with the evil of manufactured derivatives of opium and other narcotics. That is the relation of these things to infectious disease. Malaria, for instance, and cholera. Especially cholera.

When Sir William Roberts was so casually " white-washing " the opium practices of the Indian people, he did not know, he could not have known, that during the thirty years—so productive and eventful in respect of the development of the sciences of medicine and sanitation—between the publication of the Royal Commission's Report in 1895 and the year of Our Lord 1925 there would be revolutionary changes in the attitude of the medical

profession on the subject of narcotics—opium in particular. This is a consideration greatly overlooked by those who defend the Indian opium policy on the strength of the Commission's findings. It would be possible to frame a defence of overcrowding in the New York or the London Zoo by reference to the menagerie technique said to have been practised in Noah's Ark!

Specifically, Dr. Roberts could not have known—because they were not made public until 1898—of the experiments in respect of cholera and opium made in Prof. Elie Metchnikoff's laboratory in the Pasteur Institute by Cantacuzene, Oppel and Gheorghiewsky.[1] Metchnikoff himself tells about them in his *Immunity in Infectious Diseases*, published by the Cambridge University Press in 1905. These men found invariably that they could immunize guinea-pigs against cholera, *unless they had had opium.* In every case those treated with the narcotic died—of cholera. And the reason was always the same. As Metchnikoff says (page 306), those subjected to opium died, "because the leucocytes, on account of the narcotic action of the opium, were tardy in coming up."

Dr. Hans Zinsser, Professor of Bacteriology in the College of Physicians and Surgeons of Columbia University, New York, reporting and commenting upon these disclosures in his *Infection and Resistance* (Macmillan, 1918), points out that "animals treated with opium are very much more susceptible to infection than are normal controls. . . . These experiments indicate very definitely the inadvisability of using morphine and similar narcotics in infectious diseases."

Sir Leonard Rogers, Lieut.-Colonel, Indian Medical

[1] Described in *Ann. de l'Inst. Past.*, vol. 12, 1898.

Service and Professor of Pathology in the Medical College of Calcutta, in his paper " Cholera Asiatica," contributed to the volume *The Practice of Medicine in the Tropics* (London, 1922) is emphatic in his denunciation of " certain old forms of treatment," among them in particular the use of opium, of which he says, " if it has any effect at all it will favour the retention of the toxins formed by the cholera vibrio. Opium, moreover, most strongly predisposes to the deadly continued suppression of the urine and is absolutely to be avoided in cholera."

This view of the effect of opium upon cholera is confirmed in his *Essentials of Tropical Medicine* (London, 1920) by Dr. Walter E. Masters, Medical Officer, Gold Coast, West Africa, long experienced in Belgian Congo and South America. Incidentally Dr. Masters is equally emphatic in his urgency against the use of opium in yellow fever.

Dr. Ernest E. Walters, Major in the Indian Medical Service, director of the King Institute of Preventive Medicine of Madras, in his contribution on " Diarrhœas in the Tropics " to *The Practice of Medicine in the Tropics*, writes of the " peculiar form " of this affection due to habitual drugging with opium, and found commonly among opium *eaters*.

Manson-Bahr and Perry, in their essay on " Bacillary Dysentery," in the same collection of papers, declare that in that disease " the routine use of opium in the treatment of dysentery cannot be too strongly deprecated."

Sir William Roberts, in the Royal Commission Report, dilated upon the use of opium as a prophylactic and febrifuge, with reference especially to the malaria which is endemic in India. It was pardonable from him, because he was writing at a time when malaria was attributed to a " miasma " rising steam-like from the surface of

swamps. We know better now. I have been unable to find one modern authority who suggests the use of opium or any other narcotic as either a prophylactic or a remedy for malaria. *Sanitation in India*, by Turner and Goldsmith; *Fevers in the Tropics*, by Sir Leonard Rogers; *The Prevention of Malaria*, by Sir Ronald Ross; *The Prevention of Malaria in Federated Malay States*, by Dr. Malcolm Watson—all go deeply into the subjects of causes and means of infection and of treatment; not one of them mentions opium as of any value—not even if administered directly to the germ-carrying mosquito, whose importance in this particular connection was little suspected by Sir William Roberts when he was writing about malaria for the Royal Commission's Report—thirty years ago.

There was indeed a time when all over the world opium was supposed to be efficacious for the prevention and the treatment of malaria. Still survives in some quarters the belief that this drug facilitates the operation of quinine. But Dr. S. P. James, Adviser on Malaria to the British Ministry of Health, formerly Secretary of the Commission for the Study of Malaria in India, remarking that in olden times before quinine became generally available in England, the consumption of opium in the principal marsh districts was enormously greater than the healthier upland districts, declares that "the common belief that opium assists the action of quinine is without foundation."[1] Malcolm Watson says, in *The Prevention of Malaria* (p. 117): "I have often wished to try the old native remedy of opium with the quinine, but have never felt quite justified in doing so."

[1] Article, "Malaria—Treatment," in *The Practice of Medicine in the Tropics*, vol. II, page 1648, London, 1922.

The modern medical literature on other diseases in the tropics virtually all deprecates the use of narcotics, and *especially opium*. Of yellow fever, Dr. Walter E. Masters says (in *Essentials of Tropical Medicine*, London, 1920, p. 371):

> "To alleviate the symptoms—relieve pain by asperin or phenacetin—*never opium.*"

Of diabetes in the tropics, Dr. Ernest E. Walters says that in the Far East opium has a considerable reputation in the treatment of the disease, but—

> I have never been able to convince myself of its value. . . . (And) Codeine is simply an expensive and less efficient form of opium.

And so on. One searches in vain for modern medical support for the superstition that opium is in any proper sense either a remedy or a prophylactic; anything except an anodyne against pain. And yet, in the Second Opium Conference at Geneva in February, 1925, Mr. Harold Clayton (who succeeded Mr. Campbell as head of the India delegation), exhibited to the conference, somewhat as a South Carolina plantation hand might have exhibited the left hind-leg of a rabbit "killed in a graveya'd in de da'k ob de moon"; as if the mere sight of it would be a proof of its efficacy—a small bottle of chlorodyne (containing opium among other things) and declared that he would not go anywhere in India without it. And this more than twenty years after Cantacuzene and his colleagues in the Pasteur Institute had demonstrated that opium helped the cholera bacillus to kill its victims. These old-wives' delusions do take an unconscionable time a-dying!

To be sure, this is a question for medical experts ; for fearless and candid research, of Cantacuzene's kind. But of any disease of infection, whose cure requires the vigilant operation of the natural guardians of the system, a schoolboy might have guessed that narcotics would retard the defence. The medical testimony corroborates the guess. Of course, opium does to the leucocytes (the white corpuscles of the blood), normally the vigilant sentries and scavengers which guard the body against infections, precisely what it does to the human individuals—puts them to sleep, or leaves them unfit for their job. They work stupidly, or maybe not at all.

This consideration puts a new face upon the danger to the whole world of opium addiction among the teeming peoples of the Orient in the countries which are hot-beds, forcing-grounds, starting-places, of the epidemics of infectious diseases which decimate their populations and sometimes spread out all over the world. From a new angle appears justification of those who challenge the right of the Powers located or having possessions in the Far East to sequestrate the matter of the opium addiction of their subjects as a subject of purely " domestic concern."

No informed person makes light of the enormous difficulties confronting any serious, sincere attempt to control, to circumscribe, eventually to extirpate, the addiction of the people of India, China and other Oriental countries to the use of these narcotics. Anything in the nature of abrupt prohibition would be an empty gesture, a farce, doing doubtless more harm than good. But it is time for Great Britain, which is responsible for the government of India, to recognize that the day has come, not so much for a new policy as for a new point of

view. It is time to put the Report of the Royal Commission of 1893 away in some museum of antiquities where it is long overdue, and face the front in the light of what has since been learned, and the fact that its position is the backbone of reactionary opposition all over the world. And in the light also of the fact that that opposition facilitates the invasion of the high-power drugs which are taking the place of opium in India as they are everywhere else.

CHAPTER VI

CHINA—SINNED AGAINST AND SINNING

LET it never be forgotten that China invented the anti-opium movement. Probably nowhere in the world at this moment is there stronger, more convinced, better organized or better-informed support for the cause, despite the fact that narcotic-addiction is raging in China just now like a pestilence, as it has done in times past. For that very reason, nowhere is there better first-hand information—from experience—about the personal and social disaster wrought by this vice. Conviction on the subject expressed itself vigorously in China before the Western world knew there was such a thing as opium. Now, after a period of freedom, gained by an unparalleled exhibit of national self-denial and governmental efficiency in enforcement, China is again debauching herself, not only by the widespread smoking of " prepared " opium, made from raw material which, despite prohibitory laws more drastic and until recently far better obeyed than the American laws against liquor, she grows herself and smuggles from all of the other producing countries; but by increasingly widespread use of the high-power derivatives which are pouring over all her borders, especially from Germany, Switzerland and Japan. The present state of affairs in China ensues upon the breakdown and disorganization of government.

It is no part of our present purpose to analyse this

aspect of China's plight ; to seek the origins, the political motives and sources outside of China which are responsible for the recurrent turmoil in China. That is another story, requiring the tracing into perhaps unsuspected " civilized " quarters of one of the most tortuous threads of the sinister tangle known as the Problem of Narcotics. We shall keep to the main lines, meanwhile trying to be fair to China, greatly as she may be to blame.

It is customary to refer to the vice of opium-smoking as indigenous to China, with the inference that there is something about the Chinese physique and character that seems to make the use of opium not only relatively harmless but even necessary to his happiness and well-being ; furthermore to assert that it is a custom going back into the remotest antiquity of that ancient land.

Nothing of the kind. As China counts time, the vice is a modern acquisition. And it was introduced by Europeans, white men, not more than three hundred years ago.

Opium was known in China, as it was in India, in very ancient times ; it is supposed to have been brought in the first place from Arabia, or perhaps from Persia whence it is flowing to this day ; though the Persians say it came there from India. But in both India and China it was used almost exclusively as a medicine, starting no doubt with the discovery of its pain-killing property, and much in vogue especially in damp and swampy regions because of its supposed virtues as a prophylactic and febrifuge against malaria. There appears little or no reason to suppose that in those old days its use anywhere in the Far East partook of the nature of a widespread vice.

It seems to have been early in the seventeenth century

when Portuguese traders first introduced tobacco into the Far East, and with it the practice of smoking. There grew up—some writers say at first in Formosa whence it crossed the straits to the Chinese mainland—a fashion of mixing with the tobacco a small quantity of opium, which these European traders brought along with the tobacco, naturally doing all they could to encourage its use.

Professor Westel W. Willoughby, head of the department of political science at Johns Hopkins University, and legal adviser of the Chinese Government, 1916–17, and of the Chinese delegations at the disarmament and opium conferences, says ;[1]

> Although the peculiar properties of opium and the fact that it could be obtained from the poppy-plant were well-known in China for many years before, there is no good evidence that it was used except for medicinal purposes before the beginning of the Manchu rule (A.D. 1644). Early in the eighteenth century, however, the smoking of the drug had become a widespread vice ; for in 1729 we find an edict of the Emperor forbidding the sale of opium and the maintenance of places where it might be smoked.

From that time on (Professor Willoughby goes on to say), the vice has been the subject of continuous official hostility and prohibition.

It was not through any failure of intent on China's part, but precisely because of the effectiveness of her procedure in carrying out her prohibition of the narcotic that at the muzzles of " civilized " guns she was compelled to abandon that prohibition.

[1] In his *Foreign Rights and Interests in China*, Johns Hopkins, University Press, 1920.

It is usual to say that Great Britain waged the so-called "Opium War" of 1840 principally if not exclusively in order to compel China to permit the importation of opium. This is, to say the least, a straining of the facts. That was indeed, one of the results of the war; but opium was only one of the causes; or, if you insist, it was only the immediate occasion. The Emperor sent to Canton a particularly energetic official, one Lin Tseh-hsu, with instructions to put a stop to the smuggling of opium through that port, which was being done mostly in British ships. He did it. He demanded, and got, and forthwith destroyed in spectacular and thorough-going fashion, by mixing with lime and pouring into the river, a large amount of opium in the possession of the British. When Capt. Charles Elliott, the British Superintendent of Trade, refused to sign a bond authorizing the summary confiscation of all ships which in future should be found carrying opium, he and other English people were imprisoned. There were other episodes, such as a riot by British sailors hunting for liquor in the shops. But behind it all, as Prof. Willoughby says (and he certainly cannot be suspected of unfairness to the Chinese), lay the uncompromisingly hostile attitude and undisguised contempt of the Chinese towards all manner of Europeans, especially the British, whom they did not regard and would not treat as their equals from any point of view. The explosion was inevitable, and it could have but one result.

The Chinese paid an indemnity of $21,000,000, including $6,000,000 for opium worth perhaps a third of that sum, and were forced to surrender Hong Kong outright to the British and open to foreign trade the "treaty ports" of Canton, Amoy, Foochow, Ningpo and

Shanghai. As a matter of fact, opium was not discussed—"the tail went with the hide."

Even then the Chinese did not learn the lesson; fifteen years later there was a second war, and this time France participated as Great Britain's ally. Between them they effectually removed from the Chinese mind the delusion of racial superiority so far as concerned such practical matters as physical force. And the two wars riveted opium upon China for fifty years; not only in respect of import of opium from India, but of the resumption of permitted cultivation in China itself. Incidentally, they established at China's doorstep centres, first of legalized importation of opium and later of smuggling of opium and drugs.

Thus much of history. Let the past bury its dead, and hope that this is another day. Come down to modern times and read the article about "Opium" by Dr. Edward Morell Holmes in the *Encyclopædia Britannica* (1911). Mr. John Campbell himself, who upon every occasion has been exceedingly critical of China, assures us[1] that it is impartial:

> The Chinese Government, regarding the use of opium as one of the most acute moral and economic questions which as a nation they have to face, representing a total annual loss to the country of 856,250,000 taels (approximately $600,000,000 U.S.), decided in 1906 to put an end to the use of the drug within 10 years, and issued an edict on the 20th of September, 1906, forbidding the consumption of opium and the cultivation of the poppy. As an indication of their earnestness of purpose the Government allowed officials a period of six months in which to break off the use of opium, under heavy penalties if they failed to do so. . . .
>
> (Then follows a brief account of the prohibition of

[1] See Minutes, Fourth Session of Opium Advisory Committee, January 8, 1923, page 12.

opium in the Philippines by the United States Government, and the Shanghai Opium Conference of 1909.)

. . . The British Government made an offer in 1907 to reduce the export of Indian opium to countries beyond the seas by 5100 chests, i.e. one-tenth of the amount annually taken by China, each year until the year 1910, and that if during these three years the Chinese Government had carried out its arrangement for proportionally diminishing the production and consumption of opium in China, the British Government were prepared to continue the same rate of reduction ; so that the export of Indian opium to China would cease in 10 years ; the restrictions of the import of Turkish, Persian and other opiums being separately arranged for by the Chinese Government, and carried out simultaneously.

The good faith of China in carrying out its part of the bargain, and its success in enforcing its own determination, are not seriously disputed. Dr. Holmes goes on to say that Mr. E. S. Little, after travelling through Western China, reported in May, 1910, " that all over the province of Szechuan " (the chief poppy-growing district), " opium had almost ceased to be produced, except only in a few remote districts on the frontier."

Eric Teichman, Chinese secretary to the British Legation at Peking, then on special service to the Tibetan frontier, in his *Travels of a Consular Officer in North-west China*,[1] wrote in 1917, of the province of Kansu particularly, that while it used to be a centre for the best opium grown in China, the trade there was now " more or less extinct," and added :

> The success of China's measures for the suppression of poppy cultivation has been one of the most striking events in her recent history. . . . Further the success

[1] Cambridge University Press, 1921.

> which has been attained has been accomplished in the face of great obstacles, such as the revolution, after which there was a general recrudescence of cultivation.

This was corroborated by Sir John Jordan (at that time Teichman's superior as British Minister at Peking), who told the Opium Advisory Committee in 1923 that in 1917 China was practically free from opium cultivation.

But, while there can be equally no question as to the good faith, or, in the main, as to the efficiency of the British and Indian Governments in carrying out their end of the agreement, opium continued to flow into China, together with an increasing amount of manufactured drugs. In 1920, according to a memorandum filed by the International Anti-Opium Association with Sir Beilby Alston, British Minister at Peking, upon his return to England, Sir Francis Aglen, the Inspector-General of the Chinese Maritime Customs, had reported that during the previous three years the Chinese Customs had seized 40 tons of opium, 50 hundredweight of morphia and nearly 20 hundredweight of cocaine. The aggregate value of these seizures was estimated at $10,500,000 (Mex., equivalent to about $5,250,000 U.S.). The memorandum attributed to the Chinese Maritime Customs the opinion that a large part of the opium being smuggled into China was " of Indian origin " ; but if it was, it is fairly certain that it was smuggled either over the frontiers or from some country to which India legitimately exported it. Sir Francis Aglen was quoted as remarking that these seizures represented but a small percentage of the total smuggling of narcotics into China.[1] (It is roughly estimated by

[1] The memorandum of the Anti-Opium Association was published in full, with much other illuminating information on the general subject, in the *Peking and Tientsin Times*, September 6, 1920.

customs officers generally that even the most effective vigilance detects at the maximum not more than 10 per cent of smuggled material.)

Well, China has badly backslid. No intelligent Chinese or candid friend of China denies that. With the collapse of effective government in China, and the political chaos which has supervened, the grip on the opium situation broke, and the cultivation of the poppy and the production of opium have been resumed on an increasingly extensive scale.

Mr. Teichman, in the preface of his book, quoted above, says that his remarks of 1917 about the disappearance of poppy cultivation " no longer hold good "—

> In the spring of 1919 the writer travelled for days through districts in Western Szechuan where the cultivation of opium had previously been completely eradicated, without ever being out of sight of the countless fields of red and white poppy in full bloom : the price of opium was everywhere rapidly falling, and the populations of the out-of-the-way cities were again sodden with the drug.

Indeed, in some sections, opium cultivation has become virtually compulsory. The local military chieftains and leaders of bands of armed brigands, as means of income and to pay the expense of their guerilla warfare, have compelled the farmers, under pain of death, to cultivate the poppy, promptly appropriating part or all of the fruits. A letter from South Szechuan to the International Anti-Opium Association[1] in 1924 is significant and typical :

> The long-dreaded has taken place : military orders to sow poppy. An ex-robber in charge of cultivation in

[1] See Minutes of Sixth Session, Opium Advisory Committee, August 4–14, 1924, page 120.

our district has threatened our Christians with the murder of their children if they refuse to plant poppy.

An idea of the technique of the thing, and the brazen attitude of public officials in some parts of China, may be gained from this translation of the text of an official proclamation of a magistrate of T'ien Ch'uan district, dated October 2, 1924 :

> Orders have been received from the Superior Authorities to the effect that the application of the people of the Yachow jurisdiction for permission to grow opium has been granted. As regards T'ien Ch'uan it has been settled that in upland parts 4,500 *wo* shall count as 1 *mou* and in dyke land 3,000, a fine[1] being collected of $3 per mou. The fine must be paid before planting and the report as to planting, together with the money, must be sent in between the 1st of the Ninth Moon and the 15th of the Tenth Moon of the old calendar (equivalent to Sept. 29th and Nov. 11th).
>
> The burden on the people of the district of raising funds for army pay has this year been particularly heavy, but in the present permission to grow opium they have an excellent opportunity to recoup themselves completely.
>
> Reports and money should be sent in without delay to the nearest rural authorities in order that officials may be sent to verify the facts. It is important that the people act without hesitation in this matter.
>
> (Seal of T'ien Ch'uan Hsien.)

In addition to such facts as these is the undeniable fact that at the close of 1923 a wholly misleading if not altogether untruthful report was made by a Chinese High

[1] The "fine" is tribute to the existence of the Chinese law prohibiting absolutely the cultivation of the opium poppy. Looks very much like the custom not unknown in America of periodically collecting "fines" from prohibited vices—allowing them to go on just the same!—J.P.G.

Commission as to opium cultivation in various provinces. It was calculated to give the impression that there was virtually no poppy cultivation in districts notoriously devoted to it. The essential falsity of this report went far to justify—or seem to justify—charges against China made in both of the Geneva Conferences. Of the fact of China's backsliding there can be no honest question.

Doubtless multitudes of the Chinese are willing enough to enter upon this lucrative production on their own account, taking advantage of the palsy of the Government to enforce the still-existing law, in the enforcement of which the old despotism was merciless. And there is abundant reason to suppose that one of the principal factors in the recurring " rebellions " in China is the lust for the immense profits obtainable from the traffic in opium. Increasing evidence of powerful and far-ramifying organizations in China to garner and augment them.[1]

Many members of the Chinese official class are involved in this business, as they have been in the past. Official participation in bootlegging and other remunerative violations of law is not an American invention—*vide* the records of illustrious backing of one Captain William Kidd, pirate *de luxe !* J. O. P. Bland, in his biography of the late Li Hung Chang,[2] quotes Dr. G. E. Morrison, correspondent of the London *Times*, as having stated in 1894 that while that distinguished Chinese diplomat was vocal in disapproval of the use of opium and of the traffic in it, the Li family was among the largest owners of poppy-

[1] Here comes in collaterally the question of the illicit traffic in privately manufactured arms and ammunition. If the Chinese brigands could not get modern rifles, artillery and other munitions (whence ?), they could not keep China in a continual uproar, and some government might resume the interrupted suppression of opium production. But that is, perhaps, " another story."—J.P.G.

[2] *Li Hung Chang*, Henry Holt & Co., New York, 1917.

growing land in Central China. He asserted, further, that Li Hung Chang's adopted son, Li Ching Fang, as Minister abroad, was equally eloquent against the vice and the trade, and equally a beneficiary of the production of the raw material for both. Mr. Bland repeats the familiar insinuation that the efforts of such Chinese to stir up missionary zeal against the importation of Indian opium and to give the impression that India was flooding the world with it were inspired by their notorious interest in the home industry.

At the same time there has been a great increase in addiction to opium-smoking and the use of narcotics of all available kinds. Evidence of this comes from all parts of China. For example, a letter from Yungsui in the province of Hunan says : " You can smell opium in front of almost every house as you go through the street. The people will tell you of the terrible effects of the drug while they continue to puff away at the opium-pipe."

The International Anti-Opium Association, which by the way includes many Chinese in its membership and support, made in 1923–24 an investigation[1] which showed beyond question the prevalence of poppy cultivation and production of opium in a majority of the provinces of China; although it showed also that in some of them the governors still enforce the law against cultivation in their territories, even if they cannot prevent the smuggling into them of opium from the surrounding provinces. And of drugs.

The curse of opium in China is not solely in its direct injury to the addicts. It has disastrous indirect effects.

[1] The results are set forth in an Annex to the Minutes of the Sixth Session of the Opium Advisory Committee.

It is a close ally of the floods in the great shallow river valleys which constitute a leading cause of the recurrent famines. As Samuel Merwin says in his *Drugging a Nation*, from which I already have quoted :

> Where the delicate poppy is reared, it demands and receives the best land. It thrives in the rich river-bottoms. It has crowded out grain and vegetables wherever it has spread, and has thus become a contributing factor to famines. Its product, opium, has run over China like a black wave, leaving behind it a misery, a darkness, a desolation that has struck even the Chinese, its victims, with horror.

Merwin quotes an appeal from four viceroys to the Emperor, to the effect that

> China never can be strong and stand shoulder-to-shoulder with the powers of the world unless she can get rid of the habit of opium-smoking by her subjects, about one-quarter of whom have been reduced to skeletons and look half-dead.

The overcrowding of the land, the inadequate methods of agriculture upon soil which must produce great crops if the people are not to starve, but cannot do so in great regions because of the floods which ruin it ; the resulting famines and the consequent disorganization of social and family life, constitute one of the factors in the present situation, because thousands of men, especially vigorous young men, take to brigandage, and help to swell the forces of the military chieftains who keep the country upset, the poppy growing and the illegal opium trade thriving.[1]

[1] An instructive discussion of the relation between flood, famine and brigandage in China is to be found in Chapter XII of *The Character of Races*, by Ellsworth Huntington, Scribner's, New York, 1924.

On the strength of the evidence of renewed cultivation of the poppy in China, it has become the fashion to attribute to that country the bulk of the illicit trade in "raw" and "prepared" opium. In the Geneva Conferences, Great Britain, India, France, Holland and Portugal all made the alleged or potential smuggling from China their pretext for refusing to prohibit now or within any definitely measurable time the production and use of opium within their territories. For this purpose the amount of the Chinese production has been grotesquely exaggerated, though the only definite figure ever given was a rather hysterical missionary estimate transmitted without comment by the International Anti-Opium Association —against the validity of which the Chinese representatives vigorously protested—of "15,000 tons a year," which is probably a good deal more than is produced at present in the whole world. It is difficult to understand how anybody at all informed about opium could repeat the figure with a straight face; yet Mr. Campbell (whose intelligence cannot be questioned) did so repeatedly in the First Geneva Conference, with the implication that India was in danger of being overwhelmed by a flood of Chinese opium.

Yet, as recently as January 8, 1923, Mr. Campbell seems not to have regarded China—whose internal conditions then were substantially the same—as a serious contributor to the world situation. When on that day the Opium Advisory Committee was discussing the sources of opium, Mr. Campbell

> . . . wished to give some approximate statistics regarding the production of opium in Turkey and Persia, with the effect of affording a concrete idea of the gravity of the situation. These had been obtained partly from trade sources, and the figures for Turkey referred to the pre-war

Turkish Empire. From these statistics it appeared that about two-thirds of the *whole quantity of raw opium available for world consumption outside of the producing countries was produced in Persia and Turkey.* This was the central fact which the Committee should keep in mind. India was responsible for about one-third of the total quantity, and the control was most strict.

During the War (Mr. Campbell added) the supply from Turkey and Persia being cut off, practically all of the morphine used by the Allied Armies was made from Indian opium which the Indian Government supplied at pre-war prices. . . . The Indian Government . . . was anxious that some practical proposal should be adopted which would have the effect of controlling *the other two-thirds* of the world's supply.[1]

The Committee of Experts of the Second Opium Conference at Geneva accepted as reasonable an estimate of 8,600 tons as the total annual production of raw opium in the world, and that included 5,000 tons attributed to China. But we have an even better estimate: better because disinterested so far as China is concerned. When the drug interests of Basle in 1923 were doing their utmost to prevent the belated ratification by Switzerland of the Hague Convention of 1912, they made a scrupulously, scientifically thorough study of the whole situation as regards opium and narcotics, and issued, for confidential circulation, a pamphlet in the course of which they analysed and co-ordinated all the information available about opium production, concluding as regards China that:

It follows that the actual production will be 5 million kilograms a year.[2]

[1] Minutes, Fourth Session, page 11. The italics are mine.—J.P.G.

[2] Il en resulterait que la production actuelle serait 5 million kgs. *per an.*—From pamphlet: *La Convention Internationale de l'Opium, et sa Ratification par la Suisse:* Etude Documentaire par l'Industrie Suisse Intéressé; Bâle, Geneva, Schönenwerd, Zöfingen, Octobre, 1923.

This is approximately 5,000 tons, which tallies with the estimate of the Committee of Experts, as well as with other reasonable estimates and the general probabilities. It is indeed remarkable that this figure emerges from almost any angle of approach.

We may fairly assume that in the old days before 1907, when the production of opium was legal, China was producing as much as she could to compete with upward of 3,100 tons annually imported from India. Dr. Holmes in his *Britannica* article says that she consumed then 380,000 piculs a year, of which she produced 325,000.[1] If her normal consumption, with a presumably smaller population, was anything like 380,000 piculs, the illegal production now, by however much it may exceed the conservative estimate of 5,000 tons—even if it be 15,000 or more—cannot leave any great margin for export, licit or illicit. In fact, however, China is not producing now all that she could. According to information that I deem reliable, in at least eight of the twenty-one provinces there is little or no production of opium. Not all of the provincial governors have bowed the knee to this Baal. But there is no province into which *smuggled* opium is not going. Smuggled opium—and drugs.

It is impossible to say how much opium is being produced in China. Nobody knows. But anybody who cares to inquire can learn that enormous amounts of both opium and drugs are pouring *into* China. And that has been going on increasingly for twenty years. China's neighbours, especially on the north and north-east, promptly took advantage of the slowing down and stoppage of opium cultivation in China after 1907. In

[1] A "picul," "chest" or "package" of opium is 133⅓ lbs. avoirdupois. Thus, 325,000 piculs would be approximately 20,000 long tons.

the Maritime Province of Siberia, around Vladivostok—persons who were there at the time have told me—poppy-crops broke out like a skin disease. Poppy cultivation became a veritable rage on the part of almost everybody who had a few square yards of land. Nor was it confined to China's northern neighbours ; opium came from all directions. Sir John Jordan, at the first meeting of the Opium Advisory Committee, at Geneva, May 4–5, 1920, declared himself " in a position to prove that a very great quantity of opium was entering China every year." His assertion was not challenged ; nor could it be. True as it was then, it is even more so now.

The evidence of this appears curiously in much of the documentary evidence put forth to convict China of smuggling opium *out*. For example there is a report from the British Foreign Office to the League of Nations, dated March 24, 1924, based on a British consular report, showing a heavy traffic in opium between Chinese Turkestan and Asiatic Russia. But clearly the opium is passing *into China*, cotton and silk from the region of Uch Turfan in China going out in exchange for it. Says the British communication :

> Two rolls of cotton cloth costing one tael[1] in Uch Turfan will fetch enough to buy 16½ ounces of opium. The chief commodities which are sold in Semiryetchensk to pay for the opium are Kashgar cotton cloth, boots and shoes, fleeces, English muslin and thread. . . . Enormous quantities of manufactured and unmanufactured leather, as well as of cloth, dyes, etc., were *imported into Russia from Chinese territory in* 1920 *and* 1921 *in exchange for opium at highly favourable rates.*[2] . . . While the Govern-

[1] The value of the tael varies widely in various parts of China. In this connection it can be roughly figured at about 70 cents (3 shillings ; 12–14 francs, French).

[2] The italics are mine.—J.P.G.

> ment of Chinese Turkestan claims credit for prohibiting the cultivation of the poppy in the province, it is clear . . . that it is more profitable for them to exchange the cotton and silk fabrics which have long been produced in the country for foreign opium, which can be obtained at highly favourable rates from the neighbouring countries, than to grow an inferior quality of opium at home.

Now, waiving such apparent inconsistencies in the British report as this reference to " inferior quality " of the Chinese opium in contrast with a previous statement in the same document that it is so good that only higher Chinese officials can afford it, and therefore the inferior Russian article can compete with it ; the British cannot in fairness have both sides of the argument. Nor do the Chinese concede it. Under date of December 9, 1924, the Civil Governor of Sin Kiang replies hotly to the charge, alleging that his application of the death penalty and other punishments including life-imprisonment have entirely stopped poppy-culture in the province ; but that there is a heavy incoming traffic in opium by foreigners, including British subjects, some of whom he calls by name. He charges that the Chinese officials have drawn the attention of the British and Russian consuls to the activities of their nationals in this business—" unfortunately our protests met with no genuine or adequate reply. All we do is to burn the seized opium and to allow the offenders against our laws and the International Convention to escape, because these foreign smugglers are protected by consular jurisdiction." Further :

> We would mention, too, that in the month of August, 1919, we informed the British Consul in our province that numerous foreign nationals, including British subjects, were importing opium into the south of our province

through British territory, or through territory guarded by British troops or officials,[1] and asked him to report the fact to the British authorities of those places in order to prevent the opium traders from passing the frontier if they were nationals of countries other than China, or to deliver them over to our authorities if they were Chinese. The British Consul consented to request the competent authorities to take steps in the sense desired, but foreigners continue to smuggle on the frontier as before, and Chinese traders who take refuge in territories under British control are never handed over to the Chinese authorities, and are therefore protected and go unpunished.

The document accuses the British of failure to inform the Chinese authorities of various matters alleged by them, and protests against their receiving first notice of them through a communication of the Foreign Office to the League of Nations. As for the Russians, the Civil Governor of Sin Kiang goes on to say :

Since the revolution, the Russian authorities have abandoned the system of passports outside our frontiers, and when Chinese subjects cross the frontier at Ili to enter Russian territory, the Russian authorities allow them to enter freely and provide them with land for poppy cultivation. Such remunerative freedom has, it is true, tempted some of our more unscrupulous subjects who have crossed the frontier. . . . Time and again we have addressed urgent requests to the Russian authorities beyond our frontiers asking them to extradite these poppy-cultivators established within their territory, in order that we may punish them. . . .

The only difficulty consists in suppressing opium smuggling because a large number of foreign nationals protected by the privilege of extra-territoriality conduct

[1] The province of Sin Kiang adjoins the north-west corner of India.—J.P.G.

> a contraband trade along our frontiers and in our territory, wilfully disregarding the laws of China, the Convention and the treaties, in spite of our protests and repeated applications to the foreign consulates and authorities.[1]

Another document of similar significance as to the Chinese destination of the extensive smuggling of opium—this time dealing with the product unquestionably grown in China itself—is a British Government memorandum (O.C. 246) circulated in the Second Opium Conference at Geneva, dated January 22, 1925, and reporting the results of a trip by the British Consul-General at Yunnan-Fu in March and April of the previous year. This document fully corroborates the reports of heavy opium-culture in Yunnan (the southernmost province of China, adjoining Indo-China). But the extraordinary aspect of it is that it accounts for every pound of opium produced in Yunnan as being *either consumed in that province or shipped to other parts of China.* Even such of it as got out through Indo-China seemed to be on its way back into China through the border port of Moncay and the adjoining Tung Hing.

We have indeed to confirm this British official a specific and somewhat dramatically well-authenticated instance in which Yunnan opium found its way into outside territory ; but even in that instance the record (and the record is not Chinese) shows in so many words, and as the excuse of the French officials who permitted it, that it was definitely *on its way back into China.*

The military Governor of Yunnan (who somehow has gained lately the reputation of being one of the richest

[1] The full correspondence is to be found in League of Nations Documents, O.C. 156, 1923, O.C. 183, 1924, C. 120.M.67, 1924, and O.C. 257, 1925. (All mentioned in the last-named.)

men in China) has difficulty in getting the opium, raised under the muzzles of his guns in defiance of the law of China, out of his province. He is surrounded on the north and east by high mountains, on the west by British Burma, and on the south by French Indo-China. (We need not stress the powerful French influence over Yunnan —doubtless in this matter that is extraneous.) On one occasion this Governor did get his opium out—by rail through Tonkin, with the express permission of French officials in Indo-China. In the First Opium Conference at Geneva, on November 6, 1924, this affair was the subject of a lively interchange between Dr. Sze, the Chinese Minister at Washington, head of the Chinese delegation at Geneva, and M. Clinchant, then the senior delegate of France.

It appeared that this wholly illegal transaction was reported by the British *chargé d'affaires* to the French Government at Paris. In reply he received from the Prime Minister, M. Poincaré himself, a letter dated June 22, 1923, which was read to the conference by M. Clinchant —in part as follows :

> It was owing to the insistence officially of the authorities of Yunnan that the Governor of Indo-China had considered it right to authorize as an exceptional measure the transport via Tonkin of a consignment of Yunnanese opium, *of which the destination was another southern province of China.*[1] The dispatch of this consignment was not a case of transit properly so-called, and the authorization granted was justified by the facts presented to the Governor-General of Indo-China. I have nevertheless given instructions that it shall not occur again.

[1] The italics are mine.—J.P.G.

Undoubtedly there is smuggling of opium out of China —nobody can say how much. Just because the Chinese opium is of inferior potency and therefore cheaper in all markets normally, it is no doubt smuggled out to some extent, to compete especially with the Indian article in that market to which the Indian opium is largely confined; namely, in the territories in the Far East where opium still is lawfully smoked. Also no doubt to some extent over the borders of Burma and India proper, where the lower price will tempt the poor. A real control of production in any other of the producing countries, or any cause operating to curtail supply or raise the price, might give the Chinese opium a chance even in the world market. After all, morphia is morphia, and the law of demand and supply overrides the imaginary lines of political geography and considerably evades the most vigilant custom-houses.

On January 27, 1925, the customs authorities at Calcutta seized " prepared " opium presumed to be Chinese, concealed in life-jackets on the steamship " Tairea," upon her arrival from China. The opium was packed in tins, hermetically sealed; the top impressed with Chinese characters. It was inferred that this indicated the existence in China of a modern packing-plant for the tinning of opium, and obviously the prevalence of a heavy smuggling out of its product. Well, in the first place, there are considerable canning enterprises in China, for the tinning of vegetables, fish, crab-meat, etc.; under existing conditions in China it would not be difficult to arrange for the tinning of opium as well—with or without the connivance of the responsible owners of the plant. But let that pass; a more important consideration would be the amount of the opium.

There were " 132 tolahs " of it—an imposing total, if you didn't know that a " tolah " is 180 grains ! In other words, this was a seizure of *a trifle over three pounds, avoirdupois*. A good deal of publicity was given to this seizure ; for the reason, in my opinion, that it was the first identifiably Chinese opium to be seized at Calcutta—at any rate, I have been able to find no published announcement of any other. As for its being in fact Chinese ; probably it was, but one would like to know whether the " Tairea " (which by the way runs out of the opium-saturated port of Bushire on the Persian Gulf) stopped overnight at Macao, where, as we shall see presently, there exist both the opportunity and the incentive to make " prepared " opium look as if it came from China. In any event, compare this with the tons, the hundreds of tons, of opium undeniably going *into* China.

The British authorities at Hong Kong reported seizures there in 1923 of more than 50,000 ounces (some 3½ tons) of opium declared to be Chinese. They seized also a large quantity of Chinese documents which disclosed the existence and the methods of wealthy and powerful syndicates of Chinese engaged in smuggling. A British memorandum announcing this declares that " the amount of Chinese raw opium mentioned in the documents examined amounted to over 600,000 taels (800,000 ounces) smuggled within a period of 12 months." The memorandum asserts that this opium was " mostly of Chinese origin."

The British authorities in Malaya announced that their seizures in 1923 and the first eight months of 1924 were :

	1923	1924 (8 mos.)
Steamers from Europe	21	7
Steamers from India	15	8
Steamers from China	229	345

Lord Cecil told the Second Opium Conference on January 21, 1925, that the total consumption of Indian government (lawful) opium at Hong Kong was 22½ tons a year; that the papers of only one Chinese syndicate disclosed that it was smuggling an amount equal to that total. And the Malaya announcement attributed to one syndicate the smuggling of opium at the rate of 567 kilograms a month—6,084 (more than 6 tons) a year.

Of the 229 steamers seized in 1923 only 36 are named; of these 18 were British, 11 Dutch; one each respectively Belgian, Norwegian, Chinese and Danish; three not listed in *Lloyds*. At the beginning of the present year (1925) Great Britain issued regulations forbidding British ships to be used in this traffic. A good and much-needed example; a long step would be taken toward the suppression of narcotic smuggling if every nation would make the owners and masters of ships heavily responsible in respect of this traffic.

It does not necessarily follow that Chinese syndicates and individuals are dealing in Chinese opium, or that a ship from China with opium on board necessarily got it there. One unsophisticated might suppose that the cargoes of those ships seized in Malaya consisted entirely of opium; whereas in fact most if not all of the seizures were relatively small in bulk. Yet in the conference at Geneva Lord Cecil used the expression "*laden* with opium"! One hopes that the "Tairea," for example, will not be described as "laden" with its "132 tolahs"—three pounds, five ounces.

One of the biggest seizures, of 8½ tons of raw opium, in a cave on an island near Hong Kong, was largely of opium from Persia.

Consider now the results of a sensational raid by the

police in the International Settlement at Shanghai in the same month of January, 1925, in which those "132 tolahs" turned up at Calcutta. It is thus described in a Shanghai dispatch to the London *Times* of February 16th :

> In cupboards was discovered opium estimated at the value of $1,250,000. There was also a mass of documents revealing *an immense organization for the import of Turkish opium.* This is shipped from Constantinople to Vladivostok, but diverted at Shanghai, where delivery is taken outside the Woosung Forts, and the cargo transferred thence to the Kaingnan arsenal, both places being outside the Shanghai harbour limits. . . . The names of firms at Constantinople and Basle [Switzerland], and a Japanese firm were mentioned, as well as those of the Chinese, as implicated. A telegraphic code for dealing in opium, heroin, morphia and cocaine was found, as well as contracts made out in dollars, yen, sterling and Turkish currency, amounting to millions of dollars.

This discovery was made as a by-product of a civil suit, ensuing upon the falling-out of some of the parties, quarrelling over the division of the spoils. The papers in the case afford an illuminating exhibit of persons and methods in the illicit traffic.

There is no method by which Chinese opium, or *illicit* opium from any other source, can be identified with certainty. A morphia-content below 10 per cent, other things being equal, would justify a presumption that the specimen was Indian or Chinese ; if below 9 per cent probably the latter. But neither after blending with high-percentage Persian or Turkish—which is commonly done—could be unmistakably identified. There is no difficulty about disguising it completely.

When the British authorities at Hong Kong or Singapore, the Dutch in Java, the Japanese in Formosa, or the "farmer" at Macao, make into "prepared" opium for legalized smoking in their territories the "raw" opium which they purchase from the India Government, it is customary to put into it a certain special and more or less secret chemical ingredient, having no perceptible effect upon the opium, for the sole purpose of identification; just as the "farmers" in those places used to do for their own protection in order to distinguish it from smuggled stuff. Upon analysis this ingredient discloses itself. Therefore an analyst can tell whether a specimen of prepared opium was made in accordance with the official formula of any of the authorized factories. But the making of prepared opium is not more difficult than the distilling of moonshine liquor, and one can put in the secret ingredient or not, as suits his purpose. There might readily be such a thing as motive, on the part—let us imagine—of a "farmer" at Macao, in boiling some opium which (for some reason known to himself) he did not wish to have recognized as coming from Macao, to omit the identifying ingredient, and even to mark it with Chinese labels or other characteristics calculated to have it attributed to "Chinese smuggling." So, if it should be seized by vigilant customs officers, say at Hong Kong, or Singapore, they would be likely to say:

"Aha! More Chinese opium!"

Otherwise, if it bore the Macao trade-mark, they might say instead:

"See here, Indian opium is running out through the bunghole at Macao. If that fellow has opium to smuggle, or is letting it get away from him, we must see that India curtails his supply."

It calls for no diagram to demonstrate that many kinds of people engaged in or contributing to the opium smuggling trade might have very powerful incentives to make their opium look as if it had been smuggled out of China. The technique hitherto seems to have been to assume that any opium that could not be perfectly identified as respectably authentic must be Chinese.

In the evening of September 22, 1922, a great haul of drugs—14,000 assorted packages, cans and bottles of cocaine, morphine and heroin, weighing from one to three ounces each—was made in an hotel in West Fortieth Street, New York City. The drugs were declared by Dr. Carleton Simon, Special Deputy Police Commissioner in charge of the narcotic squad, to have a sales value of more than $500,000. Among the things then seized were *plates for printing Chinese opium labels*. This indicated, according to Dr. Simon, as quoted in the New York *Tribune* of September 23, "that smoking opium was being manufactured from crude opium and was being canned, labelled and sent to the illicit trade as far west as Vancouver and Los Angelos."

Glance for a moment at that "farmer" of Macao—a Chinese syndicate, by the way—to whom the Portuguese Government for a price entrusts the opium monopoly. He pays in the neighbourhood of $2,000,000 gold for the privilege. A Macao dispatch dated May 21, 1920, to a Shanghai newspaper, says:

> The bidding was very keen to-day for the opium monopoly for the three years commencing August 1, the first offer being $2,500,000 (Mex.) annually. Spirited competition brought the price up to $3,950,000, and the farm was adjudicated to the Lee Sing Company, Hong Kong.

As W. H. G. Aspland, General Secretary of the International Anti-Opium Association, described the situation in the *Peking and Tientsin Times* of November 29, 1924 :

> By an agreement between Great Britain and Portugal in 1913, Macao is permitted to import not more than 260 chests (36,400 lbs.) yearly of Indian Opium for local consumption, and 240 chests (33,600 lbs.) for re-export to countries permitting import. The amount for home consumption is apparently unalterable, but that for re-export is not so, provided proof is given that the transaction is in lawful pursuance of the decisions of the Hague Convention.[1]

The First Opium Conference at Geneva adopted an agreement that there shall be no re-export of " raw " or " prepared " opium ; therefore the 240-chest transaction would become unlawful. But a new contract for three years (ending in 1928) has just been awarded by the Portuguese Government to the Macao " farmer," and Portugal signed with a reservation protecting that fact. On the face of it, the " farmer " will go out of business after 1928, because under the new Agreement Portugal has agreed to the abolition of the " farmer." The only other " farmer," so far as I know, is the British North Borneo Company, and that, as we have seen, is by way of being itself the Government of that territory.

Well, what becomes of the 240 chests which the Macao " farmer " is legally authorized to re-export ? Presumably these are for the benefit, for instance, of the Chinese or others in the South American republics. But one cannot be sure. There was an occasion when a consign-

[1] That is to say, that none is re-exported without an import certificate from the country of destination. As I have said elsewhere in this book, the India Government has lately begun to cut down the amount of opium sold to Macao, presumably impressed by the general suspicion as to the conditions surrounding the disposal of it.—J.P.G.

☞ *See Note, page* 168.

ment of opium from Macao indentured for Mexico fell into the hands of the Chinese Customs and turned out to be molasses! What had become of the opium? The Chinese believed that it had been smuggled into China.

On May 17, 1919, the steamship "Amherst" cleared from Hong Kong for Java. On June 4, the Macao Government supplied the customary export certificate that 153,600 taels (over 200,000 ounces) of prepared opium had been shipped on the "Amherst" for Chile. Three days later, the vessel put back to Hong Kong for repairs. There was no opium on board. What became of it? The vessel hardly had been out of Chinese waters!

There are some 71,000 Chinese in Macao. More than half a pound of opium per capita per annum is an enormous consumption. In point of fact, it can't be done. Hong Kong has—on paper—a similar ratio. "Is it improbable," asks Dr. Aspland, "that some at any rate of the Indian opium seizures along the Chinese coast are *surplus chests* from Macao? If a Government in return for a massive financial consideration allows a local Chinese firm to juggle with 70,000 pounds of opium yearly, can a limit be set to the callousing annuity attendant on such a traffic? Opium and gambling, gambling and opium—so Macao balances her budget."

Consider the price that the Macao "farmer" pays for 500 chests of raw opium to the India Government; add to that the cost of making it into "prepared." Subtract that from the legitimate market-price at which the latter may be sold in places where such sale is lawful. You will be puzzled to know why anybody should bid so briskly for so poor a net return. Is there something else —such as the privilege of carrying on a general traffic in opium, on the edge of an unlimited market, with nobody

looking on to make sure that only "legitimate" opium is either bought or sold?

Not only that: the "farmer" becomes the only custodian of narcotics; in that domain he is the authorized representative of the Government. It is his business to see that there is no illicit traffic to interfere with his own monopoly. In his "go-down" (warehouse) are stored the seizures. His are the only boats allowed to go about the harbour at night without lights. Practically, there is nothing to prevent his buying opium or narcotic drugs where and from whom he pleases, in quantities to suit all the possibilities of disposal, legitimate or illegitimate. And a leakage of narcotics from any source, however lawful the original possession, means a loose supply for the channels of illicit traffic. Opium used to come openly from Macao to San Francisco; thence from bonded warehouses (not being regarded therein as an import into the United States) to Mexico, whence it was smuggled back over the border.

The report of the Anti-Opium Association's investigation of 1923–4, cited above, included an illuminating bit of description, for example from the province of Kiangsu, which does not grow the poppy, and contains the large cities of Shanghai, Soochow and Nanking:

> Smuggling is rampant, whether in magnificent liners dirty tramp steamers or Chinese junks. With huge profits on every shipment landed, smugglers have formed combines with millions of dollars available for financing ventures and buying brains to outwit the authorities. . . .
>
> Nanking is the centre of extensive morphia-pill traffic, whilst Shanghai is the premier city in China for wholesale smuggling of and traffic in opium and narcotics.

It is estimated that the maritime customs, native customs and police authorities seize about $10,000,000[1] worth of narcotics and opium yearly.

Four furnaces are built at Pootung for the destruction of these drugs. The value of a burning in January, 1924, amounted to a million dollars, and at the furnaces could be seen Persian, Indian, Siberian, Fukien, Yunnan and Szechuan opium, as well as anti-opium pills, opium mixtures, opium in balls, slabs, packages and boxes; also morphia, heroin and cocaine. In the morphia heap were the pound boxes and 50-gramme bottles from Switzerland and Germany; bottles, tins and bags from Japan; and, most prominent of all, one hundred five-pound tins of morphia from Wink & Co., London. This latter had probably been shipped to Europe before June, 1923, at which time this company had its licence to manufacture cancelled by the British Home Office.

An indication of the extent to which manufactured drugs are supplanting the much less virulent " prepared " opium in China may be seen in such reports as this from Shantung, published in the *Peking and Tientsin Times* of December 22, 1924. Incidentally it shows, too, that the Indian habit of *eating* opium is growing up in parts of China:

At Ch'u Hsien, a wholesale morphia pill-maker named Wang Lo-Shan is concerned with a daily sale of 500,000 pills within his district. It seems almost incredible, but with a small army of pedlars covering a daily round, it is quite possible. The little country town of Ping Yuan has eleven retail pill sellers, and at Teng Hsien, eight pill-makers and a drug store at which $1,400 worth of morphia was seized recently. In the record of 30 towns, the habit of morphia and opium is about equally divided. Of course, quantity (of morphia) is the destructive

[1] This is of course dollars " Mex.," roughly half the value in U.S. gold.

element, and this record of Shantung proves what we have always maintained, that once the morphia habit is developed there will never be a reversion to opium, unless the former is absolutely unprocurable. The man who swallows a dozen morphia pills a day has swallowed more physical destruction than the average opium-smoker, and he does it without the loss of time involved in the laborious smoking process.

Reports from many parts of China show an increase in the habit of opium-*eating*, because it is easy and less expensive. The desired effect is produced by a very much smaller quantity. This habit is very noticeable in the monopoly countries in the East, where, owing to the high cost of opium, many coolies divide their daily quantum into three parts ; two are eaten during the day, and the third smoked in the leisure of the evening.

" China could not very well foresee," said a director of the Anti-Opium Association, in a published statement in 1920, " that the mere fact that she was prohibiting opium was going to be made use of by others to exploit her with drugs ; . . . that the Japanese would take advantage of the opportunity to sell, nay, to force upon China a substitute infinitely worse than opium.

" There never had been any extensive production of morphia in Great Britain until the demand for it was created by Japan entering the market as the biggest purchaser."

This was in allusion, no doubt, to the fact that although the Japanese themselves had not (and, I venture to believe, will not) become addicted either to opium or to manufactured narcotics, the importations of morphine into Japan from Great Britain alone increased from an average of less than 20,000 ounces a year during the

decade 1898–1907, to more than 600,000 ounces in 1917.[1] If it did not stay in Japan, what became of it ? I think there can be but one answer : it went to China.

Professor W. W. Willoughby, legal adviser to the Chinese Government (quoted earlier in this chapter), says on this point :

> There is no question that during recent years great amounts of morphia have been illegally introduced and sold in China. . . . The responsibility for this has been laid almost wholly upon the Japanese . . . the drug being brought into the country, it has been charged, either under the guise of military supplies, or through the Japanese parcel post system. The Japanese Government has insisted that it has never given any official sanction to the trade, but has been compelled to admit the extensive participation of its nationals in it, and has expressed its intention to make greater efforts in the future to control its subjects in this respect.

Both of the foregoing statements were made in 1920. Considerable water—and narcotics—have flowed and been carried under and over bridges since then. For one thing, the year 1920 marked the real beginning of serious attention to, if not hysterically eager observance of, the Hague Convention of 1912. The Japanese claim—I think with some foundation—that they are being made scapegoats, and are even the victims of a definite propaganda, by Western interests aiming to divert attention from their own activities. This feeling embittered the First Conference at Geneva, and at one stage, after an acrimonious interchange on this very subject between the Japanese and British delegates, the Japanese definitely withdrew from the Conference ; although subsequently the situa-

[1] This was stated, according to Sir John Jordan, in the Japanese House of Representatives at Tokio in March, 1920.

tion was composed and they returned and remained to the end.

There are, however, allegations and instances of a more recent date. In a letter to the London *Times* of February 25, 1925, Sir John Jordan said, on the basis of information freshly received from Peking, after describing North China as having " become the dumping-ground for these drugs," and as having " gone from bad to worse " :

> China produces none of these drugs, but a yearly increasing quantity pours in from Japan and Western countries. Last year there was a marked increase in the quantity of unlabelled and falsely-labelled narcotics seized by the Customs, which came in mostly on steamers from Japan. It is pleasant to add that not an ounce of British or American narcotic drugs was seized in China during 1923 and 1924. . . .
>
> Japan and Western nations have a grave responsibility in this matter, as the evil is one of their introduction, and, unless they face it with more honesty of purpose than they have hitherto done, I am inclined to agree with the Anti-Opium Association at Peking, that it would be better to allow China the continued use of opium-smoking.

An intelligent and well-informed Japanese friend of mine, closely identified with one of the Japanese embassies in Europe and in a position to have access to official information and opinions, in a personal letter[1] to me, in March, 1925, says :

> You said Japan is manufacturing and importing in quantities " much beyond the legitimate use of its own medicine and science." In this statement, you have

[1] Inasmuch as his letter is personal, wholly unofficial and not intended for publication, I may not more specifically identify the writer ; but I unreservedly accept his personal sincerity, and have no doubt that his expressions correctly reflect the Japanese feeling on this subject.—J.P.G.

touched on the very situation, if you have in mind to refer to the period before the Hague Convention generally went into force in 1921. Japan imported, I admit, quantities in excess then, but which countries have effected any international control before that date? The sad fact was that the major portion of drugs imported into Japan from 1917 to 1921 was from England and America. It seems as if the Japanese traders were morally responsible for distributing them, then the manufacturers who supplied them are equally responsible. I say further that at that time the drug distribution of English and American manufactured goods was carried on by powerful syndicates located at Hong Kong, Shanghai and elsewhere, and the Japanese learned from them only to follow their example. Before 1921, the drug traders as well as the manufacturers world over had their free hands in their business—very wicked business to be sure, but it was the situation then existed.

Then came the enforcement of the Hague Convention. What did Japan do when they executed the international treaty obligation in 1921?

1. They have restricted the import of morphine which became in 1922 only one-twentieth of that of 1921, amounting to 308 kilos, while in 1923 this became nil.
2. While the manufactured quantity remained stationary, about 2,000 kilos annually for the internal consumption.

This amount is for nearly 80 million people. If you calculate on the basis of the estimate set by the Health Committee of the League which was 450 mgr. of raw opium per head per year, Japan's need is about 3,600 kilos in terms of morphine weight. Therefore, in 1922 and in 1923, Japan's imports and manufacture was roughly about 60 per cent of the legitimate need of the country. I take it that the other 40 per cent is found from the stock left over from the previous years.

Another fact should be borne in mind. In Japan proper

(exclusive of her territories: Chosen, Formosa, etc.), there were in 1922, 42,829 physicians, 7,738 dentists, 7,176 pharmacists, 4,911 druggists, who had the permit to dispense with the drugs by the prescription of the doctors, and 2,790 hospitals, together with scores of educational and scientific institutions, all of which are at present permitted to keep such drugs which are necessary to their work. I ask you if they keep each fifty grams of drugs in stock what would be the amount for the year? And you might calculate also the quantities for Korea, Formosa, and other parts which are dependent on the supplies from Japan proper for their needs.

It is quite clear that as far as Japanese authorities are concerned, they are doing their best to check any leakage of smuggling out by way of reducing the manufacture and prohibiting the imports. As a result of this rigid control at the end of the source of supply, the prices of the drugs are always higher in Japan (about 20 to 25 per cent) than in any other countries in Europe or in America. The world realizes but little this very sacrifice in order to restrict the amount of drugs needed in the country in conformity with the treaty obligations.

Referring to Sir John Jordan's accusation against Japan, my correspondent touches upon one thing for which a certain allowance must be made; namely, a not unnatural tendency on the part of friends of China to bear a prejudice against anything Japanese:

I am sorry indeed that Sir John Jordan has not gone thoroughly in the situation when he said that the smuggling of drugs into China is annually increasing from Japan and Western countries. You know that his source of information is from the Anti-Opium Association of Peking. If you look over the 1923 report of this association, you will find the larger quantities seized by Chinese Customs were from European countries and not from Japan, contrary to the statement made by Sir John Jordan.

> Another thing to be noted is that the mere fact that there are large amounts of smuggling going on directly between China and European countries shows that our control is efficient. If it were not, it could have been much easier to carry the smuggling with the neighbour just across the sea than to bring the dangerous drugs over the dangerous route from Europe. Furthermore Sir John Jordan as well as the general public is not aware of the direct traffic now carried on between Europe and China by way of Siberia. Just recently I heard that large quantities of morphine were shipped from Europe to Harbin by the intermediary of an English bank in Hamburg, and the next thing you hear is that the Japanese authorities are responsible for not controlling traffic in Northern Manchuria, as if it were the Japanese domain.

Well, who but Japan herself is to blame for her bad reputation in China ? This is not the first time in history that a chicken has come home to roost. Besides—it almost never fails—every time you uncover one of these smuggling affairs in the Far East, you find a German or a Swiss (in one famous case it was an Englishman) at the sending end at Hamburg, Freiburg-Baden or Basle ; but it is ten to one you will find a Japanese delivering the goods.

While the Opium Advisory Committee was in session at Geneva, in May, 1923, there was seized at Hong Kong a shipment of 180 lbs.—enough for, say, 10,000,000 doses —of heroin, originating in Switzerland and en route from Marseilles to Kobe, Japan ; the consignee being a Japanese well-known to the Japanese police as a drug-smuggler. This was intended to be delivered at Vladivostok on the strength of a permit issued by the Soviet authorities there in November, 1922. This particular shipment never reached either Kobe or Vladivostok ; but the document

reporting the episode declares that the authorities at Vladivostok "issue import certificates freely and greatly in excess of the legitimate requirements of the port and of the Maritime Province of Siberia."

In the case of Yasukichi Miyagawa, reported in the London newspapers of December 13, 1923, who got three years' penal servitude for illegal possession of heroin obtained from firms in Germany and Switzerland, it was shown that during the last week of October he had exported from Hamburg more than $165,000 worth of heroin; that in one consignment he had sent to Japan 1,000 times the amount of morphine used in the London Hospital in a whole year.

Moreover, the opium-derivatives are not the whole of this question. There is also cocaine, to which my Japanese correspondent made no allusion. With the full allowance of 7 milligrams per capita per annum the 80,000,000 Japanese would be entitled to 560 kilograms of cocaine—a little more than half a ton. But Japan, which received a good part of the coca-leaf export of Java, according to her own report to the League of Nations[1] in 1921 imported 2,063 and manufactured 2,324 kilograms of cocaine and salts of cocaine, and in 1922 imported 195 and manufactured 3,680 kilograms. Diminishing—apparently (I have not the figures for 1923 and 1924)—but the first total is nearly eight times, the second nearly seven times, the allowance for legitimate purposes. I am glad to believe, and to repeat what I said before, that the Japanese are not addicted to drugs. There is nothing in the docu-

[1] League of Nations Document ODC-1 (1) dated Geneva, July 22, 1924: "Summary of Information received from the Governments with regard to the Production and Manufacture of Raw Opium and Coca Leaves, Opium Derivatives and Cocaine; with Statistical Tables (Years 1920, 1921, 1922 and 1923)."

ment quoted to show what became of this very large imported and manufactured supply of this peculiarly dangerous narcotic. It is hard to believe that it competed successfully in the Western markets; you find no trace of it in the reported imports of Great Britain, Germany, Switzerland; nor would you—they are quite adequate for the task of supplying their own needs. Where is it now? Perhaps the reader will recall that big seizure of cocaine at Calcutta in September, 1923—most of it was from Germany and Switzerland; but some of it came from Japan.

I drew the attention of my Japanese correspondent whose letter I have quoted above to the matter of cocaine, which he had failed to mention; also to the extent of its manufacture in Japan in 1921 and 1922. His reply is important, not only in its light upon those statistics in particular, but in its suggestion that the absence of adequate information about legitimate needs has been a potent factor in excessive production. I quote in part:

> As to the question of cocaine, let me state our side of the question on the issue, keeping in mind that the figures you quoted are those of 1921 and 1922. What was the status of manufacture and trade in cocaine in those years? It was only in the second session of the Opium Advisory Committee, which was held in 1922, that the Committee passed a resolution to complete information as to the manufacture of cocaine in order to ascertain the amount of the world production.
>
> You see from this, that there were at that date no complete statistics in existence. It was fortunate that we had it and published it. In the absence of definite figures, no one knew what other countries have produced. There is another case where "an honest fellow gets the blame."

You have cited the figure of 7 milligrams per capita per annum as the basis for calculating 560 kilograms which are allowed for legitimate needs in Japan, and you asked what became of the quantity over and above this amount. You will remember in reading the minutes of the Committee that this figure of 7 milligrams was reached by an investigator who assisted the Mixed Sub-Committee of Health and Opium from the incomplete data chiefly gathered from European countries, and it is the average figure for the total world consumption, and not to be taken as an average for any particular country. Some highly-civilized people may need twice or three times as much, while the inhabitants of Africa or Thibet may scarcely need any. Therefore, until a country established her own annual requirements, one does not know where it stands.

In 1923 and 1924, Japan made a limited preliminary inquiry, and according to the amount sold during those years by retailers, the figure was somewhere near 20 milligrams per head. . . . In 1922, or even in 1923, there was no way of knowing exactly what quantities were required in Japan, and in that matter, I do not know any country that had an exact knowledge until the Committee decided to look into the matter. In this instance, let me observe that in your figures you have not allowed any stock which was found in the hands of several thousand retailers and wholesalers in Japan, which constituted, I presume, a considerable quantity.

I have carefully looked into myself the actual regulations in Japan in regard to the manufacture of cocaine, but there are certain difficulties in limiting the import of raw material because of the difference in cocaine content according to the crops of certain years. Then there is the difference in the method of extracting the cocaine from coca-leaves. However, these matters can be approximately established as the experience of the drug manufacturers improves, and . . . the Japanese Government can regulate accordingly.

In the course of my letter beginning this correspondence I had taken the liberty of saying :

> Knowing as I do how effective law-enforcement is in Japan—superior to that in my own country—it is difficult for me to believe that the Japanese Government could not stop this to at least a great extent (I referred both to excessive manufacture and to smuggling in Japanese ships) if it were determined to do so. . . . I will go further, and express the opinion that there is nothing that Japan could do which would go so far to establish her in the estimation of the world as a moral force—a moral leader to the shame of the "Christian" nations—as to take drastic measures to stop making her territory the seat of this nefarious business ; to declare war *à outrance* upon the smuggling of drugs into China. A ringing declaration on that subject, backed up by such action as Japan knows very well how to take and has taken in other matters, would be the best kind of world-politics. Nothing that Japan could do would go so far as that to win the gratitude of China.

It is unjust, however, to lay all, or most, of the blame for the smuggling into China or elsewhere upon the shoulders of Japan, or the Japanese. The criminals in this business are not confined to any particular nationality, and the channels follow whatever may appear to be the lines of least resistance. Any sort of social upheaval or governmental disorganization or laxity favours illicit traffic in narcotics. The smugglers change their tactics and shift their lines as occasion requires ; they are always ahead of the game.

The British Foreign Office reported to the League of Nations in January, 1924, that :

> Unsettled conditions at Vladivostok have facilitated the creation of an extensive smuggling trade in narcotics

> from that town into the interior, principally to North Manchuria and China. . . . There is also evidence of the import of morphine, heroin, etc., from Antwerp, Hamburg and New York.

This communication referred to the alleged fact that the French Consul at Vladivostok had granted to a French citizen an import certificate authorizing him to import more than 80 tons (5,000 poods) of opium—equivalent to upward of 120,000,000 grains of morphia. The report says further that

> . . . Many more permits were issued, and eventually a Monopoly Bureau was set up in Vladivostok through which all opium transactions had to pass ; the concession for this Bureau being in the hands of a Japanese subject.

The British refused to have anything to do with this business. The India Government declines to honour even import certificates for Vladivostok without first consulting the British Consul there. Information received by the British at Peking showed (the letter said) that there was "extensive smuggling through Vladivostok into China." The facts called for strict control over exports of dangerous drugs to Vladivostok.

A large part of the opium which eventually lands at Vladivostok is taken there without any pretence of legality, in ships which leave their ports of departure indentured for other places. Not a few of them, so far as official records go, are "lost." Others turn up at their destinations without their opium, because it has been taken off or transhipped at intervening places.

Sabang, on the island of Bintang, Sumatra, in the Dutch East Indies across the way from Singapore, appears to have been until recently a favourite point for this sort of thing. A letter from the Government of the Netherlands

to the League of Nations in the latter part of 1923 stated that

> Quite recently the attention of the Dutch East India Government was drawn to the transhipment at Sabang of large quantities of opium destined for Vladivostok. The first case was that of the steamer "Ferrare" from Bushire (Persia) which was lost soon after it left Sabang. When it arrived at Sabang it was carrying 182 packages [more than 12 tons] of opium for Macao, and in addition 199 cases [more than 13 tons] of opium which were unloaded at Sabang and sent on to Vladivostok.

This latter transhipment was permitted, it appears, by virtue of a telegraphic communication from the Netherlands Consul at Vladivostok to the effect that the authorities there had authorized the import of 200 cases, and that the requisite papers would come along by post. They did. I have seen a transcript of one of them—a receipt for 50,000 roubles gold (approximately $25,000 U.S.) purporting to have been paid by one McDermid—not a Japanese, by the way, but an American citizen—to the Vladivostok authorities for permission to import and then to re-export 200 piculs of foreign opium at that port. This, you will observe, was opium from Persia. The Dutch communication goes on to say :

> On several occasions opium which was sent in other vessels to Dairen [Dalny, near Port Arthur—Japanese territory], Vladivostok and Kelung [Formosa—Japanese], had been unloaded at Sabang.

It is further stated that "opium coming from the Persian Gulf and consigned to Macao, China, Japan and Formosa, had been unloaded at Sabang, and would not reach its alleged destination."

> Moreover, the Superintendent of Imports and Exports at Hong Kong asked for information concerning certain

> vessels from the Persian Gulf which had called at Sabang, their alleged destination, and the amount of opium they carried. This information was sought because all trace had been lost of certain ships carrying large cargoes of opium coming from the Persian Gulf and proceeding to China via Sabang. In this connection the Government of the Dutch Indies was informed . . . that along the Chinese coast opium carried by ships is frequently sold to persons who take it away in small quantities before the vessel reaches port.

I know of no evidence to justify any charge that the Russian Central Government at Moscow was in any direct or intentional way responsible for the conditions at Vladivostok. Indeed, it was reported to the Anti-Opium Association in 1924 that the Russian Government had prohibited the cultivation of the poppy in Siberia and that the Vladivostok Opium Monopoly of 1922 had been suppressed. Nevertheless, the Association declared that narcotics were still finding "easy access through that port. . . . Through Manchurian towns and ports comes the amazing quantity of morphia, heroin and cocaine, which is later smuggled into North China."[1] The Russia of to-day is not a party, whether to the British-Chinese agreement of 1907, the Shanghai understandings of 1909, the Hague Convention of 1912, or any other agreements, expressed or implied, on this subject. The present Russian Government scornfully rejected the invitation of the League of Nations to participate in the Geneva Opium Conferences, taking occasion in its refusal, to express derisive sentiments regarding the good faith of the nations which would participate. For example:

> The Government of the Union of Soviet Socialist

[1] Minutes, Sixth Session Opium Advisory Committee, Appendix No. 4, page 124.

> Republics has come to the conclusion that in connection with the task of fighting the spread of opium and other drugs, the various States are striving to satisfy their own commercial interests and gain material benefits. Under such circumstances, Soviet Russia considers that its participation would be useless.

And this was before the " various States " had given in each of the two conferences a striking exhibition of the justice of the Russian impeachment.

Meanwhile, it is too much the custom, among some who know, or ought to know better, and among those who do not know at all, to speak of China as a great stagnant mass of hopelessly benighted humanity, swamped in ignorance and vice, and subject to the banditry and general political disorganization which have of late contributed to the lamentable situation as regards opium. This is a mistaken view. Underneath the surface disorder the life of the people of China goes on with the bland phlegmatic calm of a race whose philosophy ignores the ripples of time and circumstance, whose invariable habit it has ever been to absorb its conquerors without a gulp and whose civilization was ancient before that of any Western people began. The trade and export statistics of China even now show little trace of the noisy quarrels of the politicians. As the *Round Table* said in March, 1925 :

> China is passing through one of those phases of political unrest which again and again in the course of the last few years have disturbed the surface of her national life. . . . There is no real civil war there, no revolution, no great strike, nothing in which the hearts and hands of the masses are consciously involved. The people of China are probably more united in sentiment, more sympathetic to one another, than ever before in their long history.

If this be true, it bears a happy augury for the outcome of the present struggle with the curse of narcotic addiction. Those who speak of China as helpless, apathetic, hopeless in this matter would better recall the fact that as far as law and governmental utterance may be taken to express national intent, China has been, save for the lapse ensuing upon the wars of 1840 and 1856 when she yielded to superior physical force, in at least as good a posture with regard to opium as the United States of America is now with regard to alcoholic liquors. If some of her public officials and influential citizens are flouting the law for the sake of profit and appetite, and thousands of her common people are following their example . . . certainly official corruption, law-breaking in high places and boot-legging are not confined to China!

Dr. Sao-Ke Alfred Sze, graduate and Phi Beta Kappa of Cornell University, minister of China at Washington, and chief Chinese delegate in both of the Geneva Opium Conferences, said in the Second on November 20, 1924:

> There is in China a rapidly rising flood of public opinion, far surpassing what has ever before existed, that the present production and consumption of opium within China, which is illegal under Chinese law, shall cease.

Mr. T. Z. Koo, representing the National Anti-Opium Association of China,[1] brought to the Geneva Conferences an appeal, which he and Dr. Sze both said represented some 1,300 organizations and upwards of two million Chinese people in nearly all the provinces of China; in favour of the reduction of opium production to the needs

[1] An organization largely of native Chinese; not to be confused with the International Anti-Opium Association of Peking, which is of foreign initiative, though listing many Chinese among its members.

of medicine and science. This petition, read to the Second Conference by Mr. Koo, reads in part as follows :

> *Whereas* in China there is a manifest recrudescence of this evil in recent years, due to the prevalence of civil strife entailing the regrettable neglect of the law for the suppression of opium and in part to the increased importation of narcotics from other lands, and
>
> *Whereas* Chinese emigrants and traders living in the Straits Settlements, East Indies and other territories under the jurisdiction of other Powers have to a considerable extent been victims of opium and allied narcotics, and
>
> *Whereas* we believe co-operation by all nations in controlling production, manufacture and sale of opium and its allied narcotics is the most effective way to deal with this menace ;
>
> We, who as a people have been the most direct sufferers because of this evil, while affirming our determination, as representing the will of the Chinese Nation, to eradicate the production of opium in China in the immediate future and committing ourselves to overcome all obstructions to this end, hereby respectfully petition your Conference to secure an agreement among all nations to limit the production of opium and its derivatives and of cocaine, strictly to the amount required by scientific and medicinal purposes ; thereby greatly helping not only the Chinese but also the people of other lands in their struggle to overthrow this evil, and so using the unique opportunities to fulfil the mission entrusted to you to render a service to the whole human family.

Mr. Koo mentioned as among the organizations represented in the National Anti-Opium Association and in this expression the Chinese General Chamber of Commerce, the China Medical Association, the Union of Daily Newspapers, the Red Cross Society of China, the National Association for the Advancement of Education, the

Overseas Chinese Union, the National Council of Churches, the National Committees of Y.M.C.A. and Y.W.C.A., the Boy Scouts' Union, and the World's Chinese Student Federation. In Hong Kong itself, thirteen organizations, including the Chinese Chamber of Commerce, the Kung Tuen Chung Wu (the Federation of Labour formed of eighty-two guilds), the South China Athletic Association, the Confucian Society, the Y.M.C.A. and Y.W.C.A., have organized a general committee to fight opium there and to co-operate with similar organizations in other cities, including Peking, Tientsin, Wuchang, Nanking and Shanghai. Mr. Koo said that despite the fighting and the opposition of those who were profiting by the traffic in opium, they had established 188 anti-opium organizations in 19 of the 21 provinces of China. They were determined to press their campaign for suppression, regardless of what the Geneva Conferences might do or fail to do. But he added the argument that gave point and poignancy to his appeal, as it did, to that made repeatedly in both Conferences by Dr. Sze ; namely, that China's task is made immensely more difficult by the legalizing of opium-smoking in the territories, just outside her borders, governed by the Western nations. The bad example in general, and the bad influence upon the Chinese in those territories, where in fact many of them first acquire the habit, add greatly to the difficulties besetting the movement for reform. Manifestly it is difficult to enforce in Chinese Canton the prohibition of a vice which is legal in Portuguese Macao and British Hong Kong, just a little farther down the river.

Nevertheless, these people, representing the best of Young China, are not discouraged, and there are many signs, not only that their work is telling, but that the

unsettled conditions in China are drawing to a close. On the other hand, in some respects, the situation in China as regards narcotics is worse and more baffling than it ever was before. It is one thing to suppress the cultivation of the poppy, which must blossom in plain sight and cannot masquerade as anything else. An effective government such as China has had in past times and may have again surprisingly soon, if determined to do so can stop, as it has stopped before, both the cultivation of the poppy and the production of opium on any general scale. Perhaps it could stop too, or greatly curtail, the smuggling of "raw" and "prepared" opium into the country. But it is quite another matter to deal with the smuggling in of manufactured drugs, easily concealed and transported and immensely valuable in proportion to their bulk, and under the greed-pressure of great profits and the competition of manufacturing countries to exploit so vast a market.

At no time, be it observed, even when China undertook to suppress—and did in fact suppress—her entire production of opium, did any other nation make any pledge to reduce its own. All that Great Britain contemplated, promised or performed as regards the Indian production was a progressive reduction of *export to China*, and even that was conditioned upon China's good faith and success. Never to this day has any nation except China made a straightforward, unequivocal declaration of purpose, or attempted in practice, to suppress production at the source.

China's record of prohibition and protest on this subject goes back more than two centuries. She is the only one of the nations closely concerned with the production and use of opium which never has defended the practice

of making the vice a source of public revenue. Twice certainly she has displayed both the will and the ability to stamp it out.

Surely enough has been said to justify the assertion that in all this deplorable business China is to say the least as much sinned against as sinning! As Bishop Brent said at Geneva at the opening of the Second Conference:

"China does not desire, nor will she be benefited by, the pity, the cynicism or the criticism of sister nations. What she does need is their encouragement and their active aid."

The good faith of the nations. . . . The time is past for pious utterances and fine-sounding paper legislation —stultified as to responsibility by a general disposition to "pass the buck" (to China for instance), and nullified as to effectiveness by reckless willingness on the part of each to produce of narcotics many-fold the amount legitimately required by all, and to let it flow to any market that will take it. Once produced, it must go somewhere. Narcotics will flow about the world until the producing nations stop making them beyond legitimate needs.

IMPORTANT NOTE

No More Indian Opium for Macao!

☞ On August 25th, 1925, Sir John Campbell informed the Opium Advisory Committee at Geneva that owing to its discovery upon investigation that its opium sold to the Portuguese Government's "farmer" at Macao was not being confined to lawful uses, the India Government hereafter would not sell an ounce of opium to Macao! The same was true, he said, of Persia. This information comes as this book goes to press, too late for inclusion in the body of this chapter. It is a pleasure to record this belated recognition by the India Government of a scandalous situation.

CHAPTER VII

THE GENEVA OPIUM CONFERENCES

(1) *The First Conference.*

WHY were there *two* opium conferences at Geneva, beginning two weeks apart in November, 1924? Already I have ventured the opinion that there should have been but one; that the subject is one subject, and should be treated as a whole. Originally only one conference was proposed. An interesting study might be made of the psychology and politics embodied in the antecedent history of this matter; but it is a long and tangled story for which we have neither space nor disposition here.[1] Only the "high spots" of fact are necessary as background for the understanding of what happened—and did not happen—in the two conferences. In any event, they were inextricably interwoven, and neither can be understood without constant reference to the other. Especially did the antecedents, limitations and deficiencies of the first protract and bedevil the second.

[1] Useful and on the whole impartial summaries, designed particularly for the information of the people of the United States, and largely from the American point of view, are to be found in *The International Opium Conferences, with Relevant Documents*, by Raymond Leslie Buell, Instructor in Government, Harvard University (World Peace Foundation Documents, vol. VIII, Nos. 2–3); and *International Control of the Traffic in Opium; Summary of the Opium Conferences*, etc., with Appendices, prepared by the Committee on Traffic in Opium of the Foreign Policy Association, New York. (Pamphlet No. 33, Series of 1924–25, May, 1925.)

Always in the background of both conferences were what have come to be known as "the American principles," already quoted in Chapter II of this book:

> 1. If the purpose of the Hague Convention is to be achieved according to its spirit and true intent, it must be recognized that the use of opium products for other than medicinal and scientific purposes is an abuse and not legitimate.
>
> 2. In order to prevent the abuse of these products it is necessary to exercise control of the production of raw opium in such a manner that there will be no surplus available for non-medicinal and non-scientific purposes.

The key-note of the American position from first to last; the centre of the controversy which nearly wrecked the Second Conference and ended in the withdrawal of the American delegation, lies right here, in the subject of *the control of the production of raw opium* to the end of suppressing it beyond the extremely limited needs of bona fide medicine and bona fide science. The controversy goes clear back to the beginning of international discussion of this business; it showed itself, as we have seen, in the Shanghai Conference of 1909. It was out in the open in the Second Assembly of the League of Nations, after the Council at its thirteenth session, in June, 1921, had directed the Opium Advisory Committee to ascertain the requirements of the world in opium "for medicinal and scientific purposes." In that Assembly the representative of India contended that these words went beyond the warrant of the Hague Convention. In India, he declared (on the strength of course of that famous Royal Commission Report of 1895), opium was "legitimately" used for purposes not strictly medicinal. So at his behest

the word " strictly " was eliminated, and " legitimate " was substituted for " scientific." The Americans never have conceded the propriety of this substitution, nor the legitimacy, in any proper sense of the word, of the popular use of opium for eating in India ; but they have been forced to accept, so far as any official utterance is concerned, the inflexible position of the India Government (and of Great Britain, too) that that is an internal affair of India ; the business of nobody else.

It was not until January, 1923, that the United States began to co-operate with the League of Nations with regard to opium ; in that month Dr. Rupert Blue appeared in an " unofficial and consultative capacity." In June of that year Chairman Porter, Bishop Brent, Dr. Blue and Mr. Neville came on in an " advisory " relation. It was at that meeting (of the Advisory Committee) that Mr. Porter presented " the American principles." He held that they represented the real intent of the Hague Convention ; that it was " an ordinary legal principle that one section of an instrument cannot be so construed as to defeat the purposes of the whole instrument." In the end (as shown in terms by the American proposals to the Second Geneva Conference in 1924) the Americans were forced to concede that the Hague Convention certainly did authorize " temporarily " the smoking of opium ; but they never have yielded their insistence that " temporarily " means what it says ; that the nations have pledged themselves to suppress the smoking of opium in their territories, and that the only way to suppress it is to suppress the cultivation of the plant from which it comes. The American delegation professed itself ready to examine any counter-proposals, but declined to debate the merits of its own.

Finally, after much discussion, the following resolution was adopted :

> The Advisory Committee on Traffic in Opium accepts and recommends to the League of Nations the proposals of the United States representatives as embodying the general principles by which the Governments should be guided in dealing with the question of the abuse of dangerous drugs, and on which, in fact, the International Convention of 1912 is based ; subject to the fact that the following reservation has been made by the representatives of the Governments of France, Germany, Great Britain, Japan, the Netherlands, Portugal and Siam :
>
> > "The use of prepared opium and the production, export and import of raw opium for that purpose are legitimate so long as that use is subject to and in accordance with the provisions of Chapter II of the Convention."
>
> The representative of the Government of India associates himself with the foregoing resolution, subject to the following reservation regarding paragraph I :
>
> > " The use of raw opium, according to the established practice of India, and its production for such use, are not illegitimate under the convention."
>
> II. The Advisory Committee, appreciating the great value of the co-operation of the Government of the United States of America in the efforts which the League has for the past two years been making to deal with the question of the abuse of dangerous drugs, expresses the belief that all the Governments concerned will be desirous of co-operating with that Government in giving the fullest possible effect to the convention.

The representatives of the United States accepted this resolution, declaring that the reservation made by France, Germany, Great Britain, Japan, the Netherlands, Portugal and Siam appeared to be only a reaffirmation of the Hague Convention as regards the temporary authoriza-

tion of opium-smoking, and as such to give rise to no question. As for the Indian reservation, they ignored it.

The Advisory Committee did not specifically recommend the holding of two conferences—or any conference at all, for that matter. It did proceed to recommend to the Council, " as a means of giving effect to the principles submitted by the representatives of the United States and the policy which the League on the recommendation of the Committee has adopted," . . . the advisability of inviting :

> (*a*) The Governments of the States in which morphine, heroin and cocaine are manufactured and the Governments of the States in which raw opium or the coca-leaf are produced for export for the purpose of such manufacture ;
>
> (*b*) The Governments having territories in which the use of prepared opium is temporarily continued under the provisions of Chapter II of the Convention, and the Republic of China,
>
> to enter into immediate negotiations (by nominating representatives to form a committee or committees, or otherwise) to consider whether, with a view to giving the fullest possible effect to the Convention of 1912, agreements could not now be reached between them, . . . etc.

The subjects mentioned as amenable to such possible agreement were, in brief :

> The limitation of the manufacture of narcotics and of the import of raw material for this and other purposes and of its production *for export*[1] (excepting that for the legally authorized smoking) except for medicinal and scientific use ; and the reduction of imports of raw opium for smoking ; together with measures to be taken by China herself to suppress illegal production and use of opium within her own borders.

[1] The italics are mine.—J.P.G.

When the report and resolutions of the Advisory Committee (from which the above excerpts are taken) came before the Fifth Commission of the Assembly in September following (1923) Sir Gilbert Murray, in his capacity as delegate for the Union of South Africa, introduced a resolution reading as follows:

> I. The Assembly expresses its deep appreciation of the very valuable work done by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs, adopts its report and resolutions, and asks the Council to call *a Conference* of representatives with plenipotentiary powers, of the States indicated in Resolution I, in order to put this resolution into effect.
>
> II. The Assembly expresses the hope that the Council will take measures to call *this Conference* in time to receive a report of its action before the next Assembly and that it will authorize the Secretariat to gather and co-ordinate the necessary information and to make all other material arrangements requisite for *the Conference*.

Sir Gilbert and the representatives of France, China, Persia and the United States argued that there should be but one conference, dealing with the whole subject. Dame Edith Lyttelton, for Great Britain, and Sir Malcolm Delevingne, who was present on behalf of the Advisory Committee, supported the former's proposed amendment providing for two separate conferences. They held that there were two clearly-defined questions, concerning two differing groups of powers. The minutes of the Fifth Commission thus summarize Sir Malcolm's argument:

> It was true that the decision as to a limitation of the amount of opium to the need for smoking would have a bearing on the work of the second (conference) in considering the limitation of the production of raw opium; but the conference on the Far Eastern question could be

> held first in order to enable the second conference, dealing with the limitation of the production of raw opium, to take into consideration the figures fixed by the Far Eastern conference. . . . The questions concerning the East could not be dealt with by a committee of the large conference suggested, for such a committee would of necessity be obliged to report to the large conference, although this question only concerned the Far Eastern States, or States with possessions in the Far East.

It is clear that Sir Malcolm Delevingne really expected the First Conference to take some steps toward constricting the consumption of opium for smoking and the production and export of the raw material for that purpose. It is clear also that both he and Dame Lyttelton really believed that something substantial in the way of joint or mutually-integrating action would emerge from the two conferences, actuated (as they hopefully visioned them) by a common purpose and a common spirit. Dame Lyttelton urged that in order to avoid loss of time, and with a view of decreasing expenses, the conferences should be held in immediate succession. She visualized, and declared her belief that this would insure, *common action and the establishment of a general plan of campaign against the production and consumption of opium and other harmful drugs.*

So in the end, be the motives what they may and the judgment deemed wise or otherwise, the subject was split in two. And the essential fact to be borne in mind is that despite all the talk and the prevailing delusions about any possible co-operation or interchange between the two conferences, the result insured that the opium business in the Far East should be to the utmost possible extent isolated as the exclusive concern of the small group of Powers having possessions there and deriving revenue from

it for the support of their colonial governments. It was almost entirely out of that action and the psychology underlying and reacting to it, that there arose the conflict of interest and purpose which prolonged and exacerbated the proceedings of the Second Conference and ended in the formal withdrawal of the United States and China.

The resolutions of the Fourth Assembly of the League of Nations providing for the conferences, and held to delimit their scope and functions, were as follows :

> Providing for the First Conference : *Resolution* 5.— The Assembly approves the proposal of the Advisory Committee that the Governments concerned should be invited immediately to enter into negotiations with a view to the conclusion of an agreement as to the measures for giving effective application in the Far Eastern territories to Part II of the (Hague) Convention and as to a reduction in the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued, and as to the measures which should be taken by the Government of the Republic of China to bring about the suppression of the illegal production and use of opium in China,[1] and requests the Council to invite those Governments to send representatives with plenipotentiary powers to a conference for the purpose and to report to the Council at the earliest possible date.
>
> Providing for the Second Conference : *Resolution* 6.— The Assembly, having noted with satisfaction that in accordance with the hope expressed . . . by the Assembly

[1] The Chinese deeply resented the inference that the other powers were entitled to agree as to measures which China should be told to take as to her own internal affairs. Their feeling on this subject lay at the root of their action in withdrawing from the conferences. With this goes their grievance on the subject of extra-territoriality, which serves to protect the foreigners engaged in the smuggling of opium and drugs.

> in 1922, the Advisory Committee has reported that the information now available makes it possible for the Governments concerned to examine, with a view to the conclusion of an agreement, the question of the limitation of the amounts of morphine, heroin or cocaine and their respective salts to be manufactured; of the limitation of the amounts of raw opium and the coca-leaf to be imported for that purpose and for other medicinal and scientific purposes, requests the Council, as a means of giving effect to the principles submitted by the United States of America, and to the policy which the League, on the recommendation of the Advisory Committee, has adopted, to invite the Governments concerned to send representatives with plenipotentiary powers to a conference for this purpose, to be held, if possible, immediately after the conference mentioned in Resolution 5.

So two conferences were held, the first beginning on November 3, the second on November 17, 1924. The first had not finished as expected when the allotted two weeks had passed; at that time it looked indeed as if its results would be absolutely *nil*—as if no agreement whatever could be arrived at. To the outsider the First Conference wore most of the time the air of a committee of experts gathered to conserve the interests of a threatened industry. At best, its final effect was generally and chiefly to regularize and stabilize the *status quo*. At worst, as Prince Charoon, the leading Siamese delegate, said at one stage, it was "a farce." Bishop Brent vehemently denounced it. Mr. Koo, representative of the Chinese National Anti-Opium Association, excoriated it. Sir John Jordan, in a letter published in the London *Times* of January 13, 1925, described it as "abortive."

The First Conference was aware of its responsibility; that was acknowledged in the preamble of the agreement which it produced at last, expressly declaring that agree-

ment to be not a substitute for but supplementary to the Hague Convention :

> Being fully determined to bring about the gradual and effective suppression of the manufacture of, internal trade in and use of prepared opium, as provided for in Chapter II of the International Opium Convention of January 23rd, 1912, in their Far Eastern possessions and territories, including leased or protected territories, in which the use of prepared opium is temporarily authorized ; and
>
> Being desirous, on the grounds of humanity and for the purpose of promoting the social and moral welfare of their peoples, of taking all possible steps for achieving the suppression of the use of opium for smoking with the least possible delay ;
>
> Having decided to conclude an agreement supplementary to the said International Convention ;
>
> Have nominated for this purpose their plenipotentiaries, . . . etc.[1]

The agreement finally adopted registered, even as aspirations, only two appreciable forward steps, together with a promise of extremely dubious value. The Conference did nothing whatever to meet the demand which the United States adopted from Sir John Jordan for a progressive suppression of opium-smoking by a systematic reduction of the amount of opium exported from India for the purpose ; much less that the cultivation of the poppy in India or anywhere else should be outlawed save for the exclusive uses of medicine and science. Upon all occasions, India—speaking by the mouth of Mr. (now Sir) John Campbell, has held that it is not its business to dictate the amount of opium which any other country ought to require. Arbitrary curtailment of export would be tantamount to forcing other governments to conform

[1] The full text of the Agreement will be found in Appendix B, page 267 of this volume.

to its ideas rather than their own. Whenever and wherever any other country enacts prohibition of import, India forthwith will cease to export to that country. Furthermore, it will permit any government to modify or even cancel altogether its contract to purchase opium. It even takes some pains to investigate the good faith and authenticity of import certificates (from Vladivostok, for instance). But it will not refuse its opium to any country which legally asks for it.[1]

Article I of the agreement, then, purports *to make the "prepared" opium business in these territories in all respects a government monopoly and to abolish the "farmer."* That is to say, the Contracting Powers agree not to lease, accord or delegate to any persons whatsoever the right to import, sell or distribute opium; these functions, together with the making of "prepared" opium from "raw," shall be "a monopoly of the government." This would be a considerable step in advance; but paragraph 2 proceeds to insert the usual "weasel words"—the government monopoly is to go into effect "as soon as circumstances permit." And the substitution of fixed salaries for commissions on sales (thus tending to remove the incentive of agents and retailers to *push sales*) "shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities." The difficulty suggested is not imaginary, either. The British North Borneo Company, in its comment upon the suggestions of the Opium Advisory Committee, previously quoted,[2] emphasizes the difficulty

[1] This position has, however, recently undergone modification, in the cutting-down of the supply furnished under its long-standing contract with Macao, owing obviously to suspicion as to the disposal of it.

[2] Chapter IV, page 56 in this volume.

of finding honest men to act as agents at salaries within the possibilities, who would not yield to the temptation to augment their income by illicit transactions. The British North Borneo Company, which is by way of being both government and " farmer " in the British third of Borneo, is left free under the agreement adopted by the First Conference to continue present practices until it sees fit to alter them. And as for the " farmer " of Macao, who as we have seen pays some $2,000,000 gold for the privilege of monopolizing the traffic in narcotics under conditions notably favouring irregularities, and who recently has acquired a new three-years' contract . . . we shall see whether, when that contract expires in 1928, " circumstances " will permit his extinction. We shall welcome the bona fide abolition of the Macao " farmer " when and if it takes place.

Article VI is the only really considerable, unequivocal achievement of the First Conference—a very important one if it is lived up to. It *prohibits the re-export of any opium whatever from any possession or territory into which opium is imported for smoking.* It prohibits also the transit through or transhipment in such territory of " prepared " opium to other territories. And as for transit or transhipment of " raw " opium, it is to be permitted only if the consignment is accompanied by an import certificate from the country of destination " which can be accepted as affording sufficient guarantee against the possibility of illegitimate use." These provisions should be sufficient to take care of the situation at Sabang, referred to in the previous chapter. It is greatly to be regretted that the convention adopted by the Second Convention did not in equally explicit fashion prohibit the re-export of manufactured derivatives. That,

however, is perhaps too much to expect at this stage—it might have interfered unduly with " legitimate " Western commerce !

For the rest . . . the agreement to institute educational propaganda against opium-smoking is to apply only in case the government sees fit to undertake it. Upon the proposal to prohibit opium-smoking by minors, the French delegate remarked that inasmuch as in Indo-China they had no system of birth certificates, they had no means of knowing a minor when they saw him. Nevertheless the convention prohibits the sale of opium to minors, forbids them entrance to smoking-places, and pledges the parties to do all they can to discourage the smoking vice among them.

The parties agree to review jointly from time to time the situation as regards opium-smoking, and to meet again in any case not later than 1929.

One of the primary conditions of " tapering off " opium-smoking in a country seems to be the enforcement of the system known as " registration and rationing " ; that is, the listing of habitual smokers, giving to each a non-transferable licence to purchase and use a fixed quantity of opium ; together with the rigid exclusion of the non-licensed from its purchase or possession, and the exclusion or deportation of new addicts. Japan uses this method in Formosa. In temporarily admitting Chinese there to harvest the tea-crop, for instance, every individual is quarantined to see whether he must have opium—in which case he is promptly deported. Japan declared that within a few years the resident addicts now registered would be dead ; no new ones are being made or admitted.

She purposed to stamp out the evil in Formosa, regardless of what others might do. The British delegation urged the general adoption of registration and rationing in the smoking territories ; but this was definitely rejected by France for Indo-China and by Holland for the Dutch Indies ; even India demurred—although the system is in more or less successful practice in Burma. The general objection was that while the plan was theoretically good, under existing conditions of promiscuous production of opium in China and elsewhere, smuggling inevitably would nullify it. Portugal claimed that in a place like Macao, within an hour's trip from Hong Kong, the great and constantly-shifting Chinese population made impossible the identification of individual smokers.

On the other hand, Siam announced her intention of putting the system into force within three years.

Nothing effective was done by either conference about one thing exceedingly important in any sincere attempt to assist China in her struggle with the drug-devil ; namely, about the abuses of extra-territoriality. That is, the right assumed by the more powerful nations of trying their own nationals in their own consular courts for offences against the laws of China. As we have seen, this results in the protection of unscrupulous foreigners engaged in the smuggling business. In many instances, patents of nationality in various European nations have been sold to Chinese and others engaged in the traffic so as to exempt them from the drastic penalties of the Chinese anti-opium laws. This was one of the matters complained of in connection with the alleged smuggling into Chinese Turkestan from India and Russian Central Asia, as we

have already seen. The Chinese resented bitterly the expression in the Agenda of the First Conference about its purpose to consider " measures which might be *suggested to* the Government of the Chinese Republic for bringing about the suppression of the illegal production and use of opium." The Chinese felt themselves entitled to do some suggesting: particularly that violators of China's laws should not be protected under the operation of extra-territoriality. Nationals of various countries were concerned in the vast smuggling operation uncovered at Shanghai in January, 1925. One was a so-called Spaniard who was formerly a British subject—until 1911, when the Chino-British agreement stopped the profit from imports of Indian opium. The Shanghai dispatch in the London *Times* describing that affair said:

> Apart from the implication of Chinese officials, the case throws a glaring light on the scandalous sale to Chinese and others of patents of nationality of the smaller nations. This is a very old grievance, which does much to justify the Chinese complaint that extra-territoriality directly contributes to disorder in China. It is high time the Great Powers were urged to effect the suppression of the abuse.

Well, they were urged, in both conferences. Little came of it. China was continuously made " the goat," and at last withdrew from both. The best they got (and it really does not relate to China at all) was a pious profession worth the paper that bears it:

Article 9 of the agreement of the First Conference:

> The Contracting Powers will examine in the most favourable spirit the possibility of taking legislative measures to render punishable illegitimate transactions which are carried out in another country by a person residing in their territories.

Article 29 of the drug-convention repeats that promise as regards

> acts committed within their jurisdiction for the purpose of procuring or assisting the commission in any place outside their jurisdiction of any act which constitutes an offence against the laws of that place relating to the matters dealt with in the present Convention.

It is to be borne in mind that the agreement of the First Conference, signed on February 11, 1925, by all of the participating nations except China, which repudiated the whole business, concerns only eight governments: Great Britain, India, France, the Netherlands, Portugal, Japan, Siam and China. The door was left open for China to sign if and when she will; but no other power need, or is expected, either to sign or to ratify. This is the private affair of the Far East.

The United States had a perfectly good title to participate, generally as a signatory of the Hague Convention including Chapter II, and especially by reason of being one of the Powers having possessions in the Far East, even if in those possessions (namely, the Philippine Islands) the use of "prepared" opium is not only not even "temporarily" authorized but absolutely prohibited. Despite the Act of Congress forbidding the importation or use of opium in the Philippines for other than medicinal purposes after March, 1908, the Chinese in those islands both smuggle and smoke it, and instead of the half-million of revenue received during the first ten years of American occupation, the Government is at large expense to fight the illicit traffic. However that be, the United States made no effort to participate in the First Conference; indeed it was said that American

representatives definitely discouraged at least one inquiry as to their wish to be included.

Nevertheless, the influence of the United States was a constantly present and disturbing factor in that Conference ; the standard it had erected being a kind of " bogey" against which, so to speak, the Conference had to play, or have excuses for falling below it. That standard was, however, not of American origin. It was set up by Sir John Jordan himself before the Opium Advisory Committee at its sixth session, in August, 1924, as follows :

> That the Government of India be invited to reduce its present export of opium to Japan, Siam and the possessions of the European Powers in the Far East by 10 per cent each year for a period of ten years, and that the Governments of Japan, Siam and of the Powers having possessions in the Far East shall similarly be requested to reduce *pari passu* the consumption of prepared opium in their respective territories and possessions and shall undertake not to replace the reduction in the Indian supply by opium obtained from other sources.

The Americans made this their own, including it substantially in the suggestions which they brought to the Second Conference. Inasmuch as the First Conference had done nothing of that kind, they insisted that the Second Conference should take up the subject. And inasmuch as very particular pains had been taken to keep that very matter out of the agenda of the Second Conference, the issue of " competency " arose and could not be allayed. It had long been foreseen ; it was much discussed during the preparatory stages. In the last analysis it represented the conflict between the two differing attitudes of mind toward this whole subject ; complicated by the supposed conflict of commercial and political interests in a matter

which ought not to be commercially or politically regarded and still further embittered by certain incompatibilities of psychology and personal temperament. The American attitude was and is that it is altogether a mockery for the Western nations to enact and enforce anti-narcotic legislation to protect their homelands, while tolerating, encouraging and even making profit out of precisely the same sort of addiction among their subjects in the Orient. The policy, moreover (as they claimed), creates an excess of supply which overflows not only into the Philippines but into other parts of the world. They are not satisfied to deal only or especially with the relatively small part of that production devoted to the manufacture of drugs.

The other Powers concerned continually professed both the desire and the intention to end the smoking evil especially and the production of opium except for such uses as they might be justified in calling "legitimate," as soon as possible—in any event "eventually," as the Hague Convention expressed it. They claimed indeed that they actually were doing it now. But they insisted that any immediate arbitrary curtailment of the legally approved and controlled supply would mean not suppression in fact but an increase by smuggling and illegal distribution—so long as production was uncontrolled in China, Persia, Turkey, etc. This aspect of the question was much dwelt upon in the First Conference; but the issue came to a head in the Second, after the American delegation had arrived and begun to insist that the *whole* question must come within the scope of the second.

Meanwhile the first was in suspense. Its agreement was drafted and supposedly complete and ready for signature. On the 3rd of December it was in fact signed by Mr. Campbell for India. But thereafter the two conferences

got more or less inextricably tangled, and for several weeks it seemed as if they could not be unravelled. Inasmuch, however, as the subject of the production and use of "prepared" opium and the legalizing of smoking, was in the end held as the province of the First Conference, that part of the story should be told here with reference to the result of the First Conference as such.

Great Britain at one stage, through Sir Malcolm Delevingne and again by the voice of Lord Robert Cecil, proposed the appointment of a special commission, one member—even perhaps its chairman—to be an American citizen, to investigate the actual situation in the Far East, including of course the Philippines. Mr. Porter received the suggestion with open scorn, even challenging its good faith, declaring that it meant only more delay and that no investigation was either necessary or proper to ascertain whether the parties to a solemn international contract (meaning the Hague Convention) should keep their word. He read a long lecture, buttressed with citations from standard law-books, about the sanctity of treaties as contracts. He "stood there on his bond." The United States would waive none of its rights, as it had evaded none of its obligations, under that contract.

"The courts do not allow the parties to a contract to repudiate and nullify it," he said in effect, "simply because unforeseen conditions arising subsequent to its execution make it difficult. You promised. When are you going to begin to keep your promise?"

All of which was deeply resented—none the less because Mr. Porter was anything but diplomatic or tactful in his manner and speech. Great Britain, the Netherlands, India, Portugal, indignantly insisted that they were doing all that was humanly possible to carry out the pledge;

they would not make a definite promise which, they declared, would have no effect beyond the paper on which it was written. M. Loudon, head of the Dutch delegation, very politely but unmistakably insinuated that the prohibition of opium by the United States in the Philippines was largely a thing on paper. He challenged the American delegation to produce the latest statistics to show the contrary. Japan, while standing with the others on the question of the competence of the Second Conference to deal with opium-smoking, declared herself ready to accept immediate prohibition ; her control in Formosa she said was complete and effective ; within a few years suppression would be a fact anyway, no matter what others might do.

Particularly did the Europeans resent and deny the inference, thinly veiled in the speeches especially of Mr. Porter and Bishop Brent, that their motives were sordid or callous to the welfare of their subjects : that the real reason for their refusal to institute a definite process of curtailment of production and consumption was the profit and revenue derived from both.

While this decidedly acrimonious controversy was going on in the Second Conference, the First remained in suspense ; but it became increasingly probable that its agreement would be concluded and signed by all the parties—excepting China. The First Conference did meet in fact, complete its draft, and fix upon December 13th as the date for signing. The date arrived, the delegates gathered to sign. They did not sign. Instead, out of what seemed a clear sky Sir Malcolm Delevingne announced that he had instructions from his government to withhold his signature for the present ; M. Bourgois for France said he had received no instructions to sign.

M. Van Wettum, President of the Conference, adjourned it indefinitely. And Dr. Sze, the Chinese delegate, who like the spectators had no idea of the meaning of the situation, remarked that

> For ways that are dark, and tricks that are vain,
> The First Conference is peculiar ![1]

Later it became known that M. Zahle, President of the Second Conference, distressed by the deadlock which threatened to wreck both Conferences, had telegraphed to the Council of the League of Nations, then in session at Rome, with the result that the British and French delegations at least had been instructed to defer action. For the moment it looked as if the agreement of the First Conference was dead, with no epitaph except the lone signature of the delegate for India. Some even thought that the Americans had won their battle. Three days later, on December 16th, in the hope that an interval for "thinking it over" and perhaps getting new instructions, a general recess was taken, and it was not until January 19th that the battle was resumed. As it turned out, however, the conflict was irreconcilable.

This is not to say, however, that the American insistence was without result. After the Americans had withdrawn from the Second Conference and the Chinese from both, the First reconvened and adopted a Protocol designed to meet the American demand so far as was acknowledged to be practicable, including the concession of Mr. Porter to accept fifteen instead of ten years as the period within which complete suppression might be accomplished.

[1] The allusion being, of course, to Bret Harte's famous poem, "The Heathen Chinee."

This Protocol[1] in effect pledges the Powers concerned to suppress opium-smoking in their territories within a period of fifteen years, beginning

> As soon as the poppy-growing countries have ensured the effective execution of the necessary measures to prevent the export of raw opium from their territories from constituting a serious obstacle to the reduction of consumption in the countries where the use of prepared opium is temporarily authorized.

The period of fifteen years is to begin when a commission (to be appointed by the Council of the League of Nations "at the proper time") decides that "as soon as" has arrived. The verdict of that commission on that point is to be final and binding upon all parties. Meanwhile, the parties agree "to co-ordinate their efforts to effect the complete and final suppression of the use of prepared opium."

Moreover, a Protocol adopted by the Second Conference in the same connection and with the same intent provides, in Articles I and II, that

> The States signatory to the present Protocol, recognizing that under Chapter I of the Hague Convention the duty rests upon them of establishing such a control over the production, distribution and exportation of raw opium as would prevent the illicit traffic, agree to take such measures as may be required to prevent completely, within five years from the present date, the smuggling of opium from constituting a serious obstacle to the effective suppression of the use of prepared opium in those territories where such use is temporarily authorized.
>
> The question whether the undertaking referred to in Article I has been completely executed shall be decided,

[1] Its substance will be found in Appendix B, page 271 of this book.

at the end of the said period of five years, by a Commission to be appointed by the Council of the League of Nations.[1]

All this looks plausible enough; it satisfies, so far as words go, the demand for a declaration of general intent; but (aside from its evasion of the question of using vice as a source of public revenue) it subjects suppressive action to contingencies vague and remote. It registers the belief, of which most of the Europeans made little secret, that the problem of opium-smoking in the Far East is insoluble. And it "passes the buck" entirely to the producing countries, particularly China. It ignores the contention of the Americans that the pledge of the Hague Convention left no room for conditional compliance. Mr. Porter demanded *a date* for beginning that compliance without conditions.

Nobody took these Protocols very seriously. On all sides they were recognized as mere utterances relating to a situation which seemed unlikely to change in any substantial respect. The best the London *Times* could say for the Protocol of the First Conference, a few days after its adoption (i.e. February 23, 1925) was:

> It must unfortunately be admitted that the resolutions of the Protocol amount to little more than a noble aspiration. . . . It can hardly be regarded as a document of great importance.

At the bottom, the controversy represented the nullification of all the pains taken by the Far Eastern group to prevent outsiders from meddling in what they regarded as—what from the beginning had been—their own

[1] The signature of Persia makes compliance with this, as with all other provisions of the product of the Second Conference (Persia was not a party to the First) subject to compliance with Persia's request for financial assistance in providing for substitute crops, etc.

exclusive affair ; business concerning which, moreover, they honestly, and not absurdly, believed that they knew by experience more than any outsiders possibly could know.

Precisely by reason of the dramatic circumstances of that controversy ; however one may view either the merits of the American interference or the manner of its making ; aside also from varying opinions as to the value of the concrete results of the First Conference—or of the Second either for that matter—the fact remains that for the first time the blaze of world publicity fell upon the Far Eastern opium situation, and the systems in vogue there never again can escape it. The old posture of private ownership and exploitation without regard to public opinion has been abandoned once for all in the acknowledgment of collective responsibility and international concern.

The Agreement, Protocol and Final Act of the First Conference were completed and signed at last on February 11, 1925, eight days before the close of the Second Conference, whose output had to do with the subject of manufactured drugs and the legal and illegal traffic therein.

CHAPTER VIII

THE GENEVA OPIUM CONFERENCES

(2) *The Second Conference.*

FORTY nations, including the eight constituting the First Opium Conference at Geneva, took part in the Second, which opened November 17, 1924, and adjourned *sine die* on February 19, 1925, having been in session more than one hundred days, with a long recess from December 16 to January 19. The forty participating nations, in alphabetical order and with the eight of the First Conference indicated in italics, were as follows :

Albania, Australia, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, *China*, Cuba, Czecho-Slovakia, Denmark, Dominican Republic, Egypt, Finland, *France*, Germany, *Great Britain*, Greece, Hungary, *India*, Irish Free State, Italy, *Japan*, Luxemburg, *Netherlands*, Nicaragua, Persia, Poland,[1] *Portugal*, Roumania, Kingdom of the Serbs, Croats and Slovenes (Jugo-Slavia), *Siam*, Spain, Sweden, Switzerland, Turkey, United States of America, Uruguay, Venezuela.

The United States delegation withdrew on the 6th February, China the following day.

While the First Conference, as has been stated, consisted almost entirely of persons highly familiar with the subject of opium, especially as concerned in the affairs of the Far

[1] The Free City of Danzig was represented by the delegate for Poland until late in the Conference, when Danzig withdrew for no stated reason.

East, the Second Conference as regards the acquaintance of its personnel with the subject which it was to discuss—the international traffic in manufactured drugs—was of an entirely different character. In respect of acquaintance with its subject it was, for the most part, fairly representative of the world at large; of the average of the population under each of the forty governments represented—governments as widely separated in miles and points of view as the United States and Siam; as China and Chile; as Sweden and Uruguay.

Speaking generally, these nations sent to the Conference, not men among their citizens best-informed and most interested regarding opium and drug-addiction, but men who happened to be more or less near and footloose. The representatives of Czecho-Slovakia, Denmark, Jugo-Slavia, Roumania, Spain and Uruguay were the Ministers of their governments to Switzerland, most of them permanently accredited to the League of Nations. The Bulgarian and Greek delegates were the *chargés d'affaires* at their legations at Berne. The delegate of Finland is secretary of the Finnish secretariat at the League. The Canadian, Hungarian and Irish Free State delegates were the permanent representatives of their governments at the League. The Swedish delegate lives at Geneva. Their respective consuls at Geneva represented Albania, Luxemburg, Nicaragua and Venezuela. The delegate from Cuba was the Cuban envoy at Berlin and Vienna. The Australian is official secretary in the Australian Office at London. The Persian delegate lives at Monte Carlo.

Even the President of the Conference, M. Herluf Zahle, who is minister of Denmark at Berlin, and who was appointed to preside, not by the Conference itself but by

the Council of the League of Nations, knew at the outset practically nothing about the subject. His speech at the opening of the Conference, while fine and inspiring beyond desire, displayed an optimism considerably shaken as the weeks passed. It is an illuminating exercise to compare it with the one he delivered at the close!

And so on. This is not to asperse in any way their interest, their intelligence, or their desire to contribute to the solution of one of the most difficult problems confronting the world; but it is not too much to say that a majority of the delegates to the Second Conference got in it their first acquaintance with this complicated subject. During it they were overwhelmed and probably considerably bewildered, by the avalanche of words, stenographic minutes, memoranda and pronouncements poured out upon them daily in increasing floods (which may or may not have been read), together with verbal arguments in two languages—each invariably translated into the other—to which for many weeks they patiently listened. Also they were privately badgered to vote this way or that. Among themselves they represented many qualities and attitudes of mind, as well as many varyingly well-informed and purposeful forms of instruction from their governments; not to mention some who lacked any instructions at all to guide them in the shifting conditions.

Within this penumbra of somewhat vague information and interest was a considerable nucleus of men familiar with the subject by virtue of long experience; who knew more or less exactly what they were doing: what they themselves thought and what their governments wanted, why they wanted it, and how to obtain it.

The core of this group was the entire personnel of the First Conference, and the core of that was the dominating group in the Opium Advisory Committee of the League—Campbell, Delevingne, Van Wettum, Bourgois, Ferreira—strengthened and buttressed by such personalities as Dr. Rodrigo Rodriguez, Governor of Macao ; M. Kircher, Director of Customs and Excise in Indo-China ; M. de Kat Angelino, Secretary for Chinese Affairs in the Dutch Indies.

The chief delegate for Japan, and the brains of the Japanese delegation, M. Sagatoro Kaku, was formerly Civil Governor of Formosa, and understood to the last syllable the opium policy of his government. After delivering a general pronouncement in Japanese, he was silent through the debates, leaving utterance to the eloquent M. Yotaro Sugimura, Counsellor of the Japanese Embassy at Paris.

Neither China, represented by Dr. Sao-Ke Alfred Sze (the Chinese Minister at Washington), nor Siam, represented in both Conferences until the midwinter recess by Prince Charoon (who is a member of the Opium Advisory Committee), had much influence in the First Conference —or the Second either, for that matter—although Dr. Sze was sufficiently vocal in protest against the treatment of China.

In a word, virtually every one of this group of delegates was in a position to be familiar with the ins-and-outs of opium production and traffic in the Far East ; it included six of the ten members of the Opium Advisory Committee, and they not unnaturally constituted a formidable bodyguard for the *status quo*, as regards the interests and the established opium policy of the Western Nations having possessions " East of Suez."

The representatives of Turkey and Persia, without perhaps any special knowledge of the subject, but under perfectly assimilated instructions from home, brought to the Second Conference a particularly keen and active interest in the subject, by reason of the fact that the large-scale cultivation of opium-crops is an important agricultural enterprise in both.

Familiarity with the subject from quite another angle characterized the delegation of the United States, Chairman Porter, Bishop Brent, Dr. Blue, Mrs. Hamilton Wright and Mr. Edwin L. Neville, formerly U.S. Consul in China, Formosa and Japan and now First Secretary of the United States Legation at Tokio who has been Secretary of the Narcotic Control Board in the United States—all of these have been for many years keenly interested in this warfare.

In still another category fell the delegations of Germany and Switzerland, together with the group of minutely informed and extremely vigilant technical experts accompanying them. They seemed quite willing—even enthusiastic—to support any measures to restrict the use of " raw " and " prepared " opium in the Far East ; but exhibited quite another attitude when the proceedings touched upon their own domain—the manufacture of and traffic in manufactured drugs. The Swiss delegation worked under the sleepless surveillance of representatives of the great drug-producing and exporting interests at Basle, who saw to it that they never missed a trick. The attitude of the German and Swiss delegations was considerably affected by a real suspicion that other nations were trying for selfish commercial reasons to curtail one of their most prosperous manufacturing enterprises.

There was in the Conference a group of doctors, health

officers, pharmacists, and so on, with a definite knowledge of the technical aspects of the subject; among them a very small nucleus of persons like Dr. Blue of the United States and Dr. Chodzko, former Minister of Health of Poland and delegate to the International Health Office, inspired by personal knowledge and conviction on the subject of both opium and drugs from the physician's point of view, however deficient in appreciation of the political and business aspects of the question.

During the midwinter recess, Great Britain, France and the Netherlands, beginning at last to recognize the importance of the Conference, if only from the political standpoint, placed at the heads of their delegations Viscount Robert Cecil, Lord Privy Seal in the British Cabinet, M. Deladier, the French Colonial Minister, and M. le Jonkheer Loudon, the Dutch Minister at Paris. But whatever of personal and political distinction these men may have added to their delegations, they added no special knowledge of the subject. It is, as we have seen, a highly complicated and difficult subject, and they were obliged to take, and did take, as fact and wisdom, what was told them by their own colleagues, who not only had been on the ground from the beginning of the First Conference, but were peculiarly well-versed in this field. There was no substantial change of attitude; no material mitigation of the deadlock.

The Americans (who, it must be remembered, were not party to the First Conference at all) brought to the Second Conference as "suggestions" the complete draft of a convention, in form indeed designed to supplant the Hague Convention, including all of its essentials, together

with much and important new matter to strengthen it and to carry the standard further and higher. In particular it was designed to include a new "Chapter II," covering the very matters which had been committed to the First Conference on the subject of "prepared" opium (opium-smoking). This instantly precipitated the question of the competence of the Second Conference to deal with that subject at all. And from its beginning on November 17 (after the usual period of grandiloquently optimistic and mutually ingratiating speeches) the Second Conference was continually excited and greatly prolonged, by the persistence of that question. It did not adjourn until February 19.

The American proposals included provision for the Permanent Central Board embodied at least in principle in the convention finally adopted; but this created no special controversy, because the Opium Advisory Committee already had favoured and developed that idea, and it was generally expected that something of the kind would result from the Conference.

Even a proposal to prohibit the manufacture of heroin was allowed to go to committee, although that subject was not on the Agenda of the Conference and an objection on the ground of competence would have been germane.

The question of competence arose seriously first when Mr. Porter moved reference to the appropriate committee of Article 1 of the American draft, reading as follows:

> The Contracting Parties shall enact effective laws or regulations for the control of the production and distribution of raw opium and coca-leaves so that there shall be no surplus available for purposes not strictly medical or scientific.

(It will be observed that this proposed re-casting of Article 1 of the Hague Convention, beside adding the reference to any surplus, carefully omitted the qualifying phrase: "unless laws or regulations *on the subject* are already in existence." Also that a second paragraph expressly conceded the propriety of production and export of raw opium for use in making "prepared" opium in those territories where smoking is "temporarily" lawful.)

The Indian delegation instantly raised the question of competence, and demanded that the President of the Conference should rule to that effect rather than to require the Conference to vote on the point of order. Mr. Zahle insisted upon putting the question to vote, but gave it as his personal opinion that the matter was within the competence of the Conference.

The result of the roll-call, which sustained Mr. Porter's motion and the view of the President, is interesting:

> *For the motion*—"Aye"—26: Belgium, Brazil, Canada, Chile, China, Cuba, Free City of Danzig, Denmark, Egypt, United States, Spain, Finland, Germany, Hungary, Ireland, Italy, Japan, Luxemburg, Persia, Poland, Dominican Republic, Siam, Switzerland, Sweden, Uruguay, Venezuela.[1]
>
> *Against the motion*—"No"—1: India.
>
> *Abstained from voting*—9: Australia, Bolivia, Great Britain, France, Greece, Holland, Portugal, Jugo-Slavia, Turkey.
>
> *Absent*: (Though listed and called) Nicaragua, Peru,[2] Roumania, Czecho-Slovakia.

[1] The States are listed here in the order of their names alphabetically in French—as they came in the roll-call.

[2] The name of Peru was continuously listed as represented, but no Peruvian delegate ever appeared in the Conference.

The real crisis came when Mr. Porter demanded reference to committee of Chapter II of the American proposals, covering the question of " prepared " opium and providing for a definitely progressive, ten-per-cent-a-year reduction of opium-production for that purpose. The question never came to a vote. It was in order to avoid the head-on collision that the long recess was taken from December 16 to January 19. It was in the argument over this question that Mr. Porter and Lord Cecil came into controversy verging on personal acrimony.

When the hopelessness of the situation at last became unmistakable, and it looked as if the Conference might come right there to an ignominious and bitter end, the delegations of Finland and Sweden proposed a compromise, in the appointment of a joint " committee of sixteen," eight from each of the two Conferences, to seek some way out. Mr. Porter accepted this proposal, and the committee was appointed. There being but eight Powers represented in the First Conference, the heads of all of their delegations became *ipso facto* members of the committee ; the Second Conference elected as its representatives : United States, Brazil, Cuba, Egypt, Finland, Italy, Persia and Poland.

This cleared the air for the moment, and the Conference went on with its committee work, upon details of the convention. All manner of private conferences were held, of groups and individuals, endeavouring to find some formula of compromise. Gradually, during the two weeks following the appointment of the " committee of sixteen," it was borne in upon all concerned that no formula could meet the situation.

Up to that time Mr. Porter had centred his attention chiefly upon his demand for a hearing. All he was asking was, he said, the reference of the American Chapter II to a

committee where its merits could be discussed. And that was precisely what the opposition would not permit, on the ground that the subject of that chapter belonged to the First Conference and could not properly be considered by the Second. The appointment of the joint " committee of sixteen " cut straight across that difficulty. To it the whole controversy was referred ; it was an appropriate committee. Mr. Porter got his hearing on the merits. But it did not improve the situation ; it merely crystallized it and displayed its hopelessness to the blindest eye.

In the meetings of the " committee of sixteen " Mr. Porter declined to argue. In fact, it was evidently a source of some mystification—and irritation—to Lord Cecil and the others of that standpoint that Mr. Porter would not answer their arguments. He simply " stood pat " upon his view of the " spirit and true intent " of the Hague Convention, and let the other fellows do the arguing. Nearly a year before, the joint resolution of Congress, approved by the President of the United States, in making appropriation for the expenses of the American delegation, had attached this proviso :

> That the representatives of the United States shall sign no agreement which does not fulfil the conditions necessary for the suppression of the habit-forming narcotic drug traffic as set forth in the preamble.

The gist of that preamble, which is very long, is in the " American principles," from their acceptance of which all of the " Far Eastern Group " had expressly excluded the production and export of opium for smoking. And inasmuch as that use consumes by far the preponderant portion of all the opium produced in the world (Mr. Porter told me he thought as much as 90 per cent of it), the

Americans felt that no measures which did not attack that part of the subject could be adequate under their instructions.

The " committee of sixteen " reduced itself to a " sub-committee of five," and all the argument was repeated therein. All without result. When the " sub-committee of five " reported to the " committee of sixteen " that no agreement was possible and recommended a report to that effect to the Conference, the Americans did not wait for the report. On the morning of February 6 they refrained from attending the Conference, and President Zahle announced the receipt of a letter from Chairman Porter declaring that the United States considered its further participation to be useless. The Chinese delegation withdrew at the same time.

The excitement occasioned by the withdrawal, of the United States especially, was out of proportion to the occasion for surprise ; for it must be clear in any dispassionate retrospect of the whole situation that the withdrawal was inevitable from the beginning. For at least two reasons :

First, that the rigid instructions embodied long in advance in the form of a law requiring complicated legislative action for any modification, coupled with Mr. Porter's own inexorable point of view in interpreting them (not forgetting the probability that he himself originated them) made any yielding or concession impossible.

Second, that the withdrawal was due primarily if not entirely to the fact that (however one may view the validity of the reasons assigned for it) the Powers directly concerned in the production and use of opium in the Far East are not prepared to meet the views of the American delegation about the reduction of either production or use.

Incidentally there is the question of the attitude taken by the Americans as members of an international conference, in which accomplishment depends at last, always, not upon majority vote but upon mutual and virtually unanimous agreement. No matter what pious expression might be "adopted" as the result of a roll-call, no sovereign nation, member of such a conference, can be compelled to accept, much less to enforce, a measure against its own judgment and will. This was expressed on the morning after the American withdrawal by M. Loudon, the leading Dutch delegate, in words reported as follows:

> I think it is desirable to point out, in view of further meetings of the same sort which may be held at Geneva, that an international conference presupposes the possibility of reciprocal concessions and of true and real exchanges of opinion, and of good will on both sides, and such a conference is doomed to failure if any one of the parties has imperative instructions to impose its will upon the others under pain of leaving the conference. Due regard to possible divergencies of view and to the force of the argument which may be advanced by the other side must be made. If these discussions have been rendered more difficult and even superfluous, the reason is that Mr. Porter never took the pains to explain his own point of view and even to reply to the arguments of his opponents.

This last assertion, while literally true, goes beyond the real situation; for everybody understood perfectly Mr. Porter's position, which was that the argument about smuggling as an obstacle to definite measures of suppression was invalid as a pretext for not complying with the pledges of the Hague Convention. He steadfastly refused to be drawn into any discussion of the smuggling issue, insisting that it was extraneous. And underlying it all,

even though never definitely stated, was the inference that the question of smuggling was merely a " red herring " drawn across the trail to divert attention from the real motive ; namely, that of the revenue derived by the Powers in the Far East from the opium traffic. It was this element in the American position which chiefly embittered the situation, reduced it at last to an exchange of thinly-disguised recriminations, and made agreement impossible.

After the Americans had gone, the Conference pulled itself together and went on for two weeks to complete its convention.

For a short time it looked as if the American Article 1 might be adopted in something like its original substance ; but there was no one left to fight for it, and in the end this emasculated result was all that got into the convention :

> *Article* 2. The Contracting Powers undertake to enact laws and regulations to ensure the effective control of the production, distribution and export of raw opium, unless laws and regulations on the subject are already in existence ; they also undertake to review periodically, and to strengthen as required, the laws and regulations on the subject which they have enacted in virtue of Article 1 of the Hague Convention of 1912 or of the present Convention.

Observe that while the caption of Chapter II, in which this Article occurs, reads " *Internal Control of Raw Opium and Coca-leaves*," there is no provision for control of production of the latter. The Netherlands and Bolivia especially blocked every effort in that direction, more particularly on the ground that the coca shrub " grows

wild " and that therefore any control of its production is impracticable.

We have dealt in the previous chapter with the Protocols and other measures adopted by the two conferences in an effort to meet the American demands on the subject of " prepared " opium.

How much did the Second Conference really accomplish ? There was much noise of marching and counter-marching, drawing of swords and putting them up again, rumours of retreats, defeats and famous victories ; but what did it amount to at last ?

We must remember always that an international treaty, however admirable in text and significance, and however numerously *signed*, at or after the time of its adoption by an international conference, amounts to no more than so much white paper unless and until *ratified* by parliamentary or other appropriate governmental action " back home " by the number of precisely specified particular nations prescribed in its " enacting clauses." No nation is bound by a treaty merely because its representatives in the Conference which made it have attached their signatures.

In this instance, the conditions are peculiarly difficult ; for the convention adopted by the Second Conference cannot come into force as regards anybody or anything whatever, until ninety days after its ratification by *the last* of ten Powers which must include at least seven of those represented in the Council of the League of Nations, with the addition of the United States and Germany (both of which are invited to participate in the appointment of the proposed Central Board), and at least

two of the seven must be *permanent* members of the Council.[1]

Assuming the required ten ratifications, and the convention duly in force, what is its progress-value ?

First, the starting-point of comparison—the existing international agreement ; namely, the Hague Convention of 1912.

The calling of the Second Conference implied recognition of the insufficiency of the Hague Convention and the measures taken in compliance with it, and an intention to strengthen and elaborate the protection against the abuse of narcotics. What was reasonably to be expected of it ? To answer that we must bear in mind three things :

First and insistently, the standard set up by the Hague Convention itself in Article 9, reading in part as follows :

> The Contracting Powers shall enact pharmacy laws or regulations to limit exclusively to medical and legitimate needs the manufacture, sale and use of morphine, cocaine and their respective salts. . . . They shall co-operate with one another to prevent the use of these drugs for any other purpose.

Second, that under the resolution of the Assembly of the League of Nations providing for its calling, the Second Conference was to consider especially *the limitation of the manufacture of the habit-forming drugs*, and, to that end, of *the production for export of the raw material thereof*, " to the amount required for medical and scientific purposes."

Third, the fact that not less (and probably very much

[1] See Articles 19 and 36, Appendix C in this book, pages 286–294. The Council at this writing includes as *permanent* members Great Britain, France, Italy and Japan, with some probability of the early addition of Germany. As members chosen for the term of one year are : Belgium, Brazil, Czecho-Slovakia, Spain, Sweden and Uruguay.

more) than ten times as much raw material of opium and coca-leaf is produced as is required for "medical and legitimate"—to say nothing of scientific—purposes; stretching "legitimate" as far as you can with a straight face. Likewise that the production of the manufactured drugs is enormously in excess of the medical needs of the world. Remembering always that every ounce of morphine, heroin or cocaine produced in the world beyond bona fide medical need means an ounce of narcotic poison seeking a consumer who in the nature of the case can have no use for it save for the gratification of an unholy and injurious addiction. The same is to be said, of course, of the hemp narcotics—hasheesh, etc.

What effective step did the Second Opium Conference take or provide for, reasonably calculated to limit the manufacture of these substances, or the production of the raw material from which they are made?

The answer to that is: *none whatever.*

It did, however, so far as words go, maintain and reiterate the standard, and improve upon the statement of it. The convention again pledges the contracting parties to the enactment of "effective laws or regulations to limit exclusively to medical and scientific purposes *the manufacture, import, sale, distribution, export and use,*"[1] of these narcotics. That certainly is an improvement in terms upon the feeble and hitherto largely unheeded provisions of Article 9 of the Hague Convention with its emasculating proviso "unless laws or regulations *on the subject* are already in existence."

More than that, the Conference did what the Hague Convention did not do; namely, provide for at least a beginning of the one thing indispensable to any effective

[1] The italics are mine.—J.P.G.

international control of this traffic. That is, for the gathering and correlation of information about it. At present there is no body of information worthy of the name or of anybody's respect or dependence, about the world's production of either manufactured narcotics or raw material. Until that information exists it is idle to talk about limitation to the needs of medicine and science, because nobody knows what those needs are, or to what extent production is excessive. Even the estimate of 450 milligrams of raw opium and 7 milligrams of cocaine per capita per annum is only an estimate. An emergency need for morphine in a relatively small section of the United States, for example, would not visibly affect the total average legitimate need of the country for a given year ; but the same kind of emergency might appreciably raise the figure for Belgium or Switzerland.

The outstanding feature of the convention adopted by the Second Conference is its provision for the appointment, by the Council of the League of Nations, with the assistance of both the United States and Germany (within three months of the coming into force of the convention), of a Permanent Central Board, of eight persons, " who by their technical competence, impartiality and disinterestedness will command general confidence," who are not to hold any office putting them in a position of direct dependence upon their governments, who shall serve for a term of five years and be eligible for reappointment, and in whose selection due and equitable consideration shall be given to representation of producing, manufacturing and consuming countries.

Germany, by the way, signed the convention subject to the proviso that she must have a member on the Central Board.

It was intended by the Advisory Committee which originated the idea and by the Americans who adopted it, that this Board should have very large and important powers, even to the extent of rationing the various countries ; that is, of apportioning to them respectively and under varying conditions from time to time the amount of manufactured and raw materials suited to their estimated and declared needs. In the committees and plenary sessions of the Conference, however, its powers were whittled down, and the Central Board as envisaged in the convention finally adopted is relatively only the ghost of itself as originally pictured.

There is accorded to it, however, a power which so far as I am aware is quite without precedent in international agreements in time of peace. Article 24 authorizes the Central Board, in the event of its observing an excessive and unexplained accumulation of narcotics in any country, and of its belief that that country is in danger of becoming a centre of illegitimate traffic therein, " to recommend that no further exports of the substances covered by the present Convention or any of them shall be made to the country concerned until the Board reports that it is satisfied as to the situation in that country." This is a very great power ; so great that its granting is surprising in view of the disposition displayed throughout the Conference by every country engaged in any aspect of this traffic to protect its business from interference.

Generally speaking, the inquisitory powers of the Board are so circumscribed that at the outset it could not be much more than the repository for such relatively harmless statistical information as the nations which are in the business of producing and selling narcotics see fit to vouchsafe.

But at the outset that is exactly what is needed—even if Switzerland, whence at present proceeds a large proportion of the manufactured narcotics in the smuggling trade, did serve notice that if the information which she furnished was disclosed to her disadvantage she would forthwith cease to furnish any. The Board if it ever comes actually into being, will afford at least the beginnings of world intelligence about the position in this business. For the contracting powers agree under the convention to furnish to the Board, as regards raw material and manufactured drugs, data generally as follows :

(*a*) Annual estimates more or less accurate[1] of the quantities of each of the substances covered by the convention to be imported into the several countries during the following year " for medical, scientific *and other* purposes." (The phrase " and other " was viewed with suspicion by some as undermining the hard-won limitation to medical and scientific needs ; but it was got in by the Americans in order to include the figures for " prepared " opium.)

(*b*) Statistics " as complete and accurate as possible " for the preceding year as regards production, manufacture, consumption, stocks in hand, seizures of illicit material and disposal thereof.

(*c*) Statistics for the preceding three months, of imports and exports.

(*d*) Statistics regarding manufacture and consumption of " prepared " (smoking) opium. This, of course, applies only to the countries where opium-smoking is " temporarily " authorized, and the Board is expressly forbidden to express any opinion upon its discoveries on that point

[1] They are not required or expected to guarantee or be bound by the estimates, and may, if they choose, revise them. (Article 21.)

—unless it finds that illicit transactions are taking place "on an appreciable scale."

It is provided that any of the parties to the convention shall have the "friendly right" to draw the attention of the Central Board to any matter which appears to it to require investigation. And it appears to be taken for granted that the annual and interim reports of the Board shall be made public, although it is required to take steps to prevent the information which it collects from being used to facilitate speculation or injure the "legitimate commerce" of any contracting party.

Provision is made for the hearing of grievances by the Board and appeal from it to the Council of the League; disputes not thus resolvable or not settled by arbitration or otherwise, to be taken before the Permanent Court of International Justice.

Aside from the provisions concerning the Central Board, the important affirmative gains in the convention, as compared with the existing Hague Convention, seem to consist in:

The stiffening and clarification of definitions, the inclusion of Indian Hemp and the potential inclusion of any narcotic not now included, which the Health Committee of the League of Nations, advised by the Office International d'Hygiène Publique, may find and declare to be dangerously habit-forming.

The application to free ports, free zones and bonded warehouses of laws and regulations at least as drastic as those applying to other parts of the country in which they are located.

Some strengthening and clarification of the system of import certificates and export authorizations.

The Hague Convention was infinitely better than the

nothing, the anarchy, that prevailed before. At least it registered international discontent with that situation and a desire to amend it. It erected something in the way of standards and better intentions. But it created or suggested nothing in the way of machinery for effectuating them. This convention conserves and stiffens those standards, and provides a beginning of international machinery by means of which the world may at least discover its plight and get a basis for intelligent action when it awakens to the seriousness of it.

The defects in the convention are chiefly those of omission. So far as I am aware, its severest critics have not alleged against it any provision affirmatively vicious —except perhaps the restrictions and difficulties erected in the way of its coming into force. It is so much of an advance upon the Hague Convention that one may well doubt whether in fact it will be sufficiently ratified within any measurable period of time.

One of its saddest omissions is in its failure to follow the lead of the First Conference by *forbidding re-export* of manufactured narcotics lawfully imported. This leaves any manufacturing country, party to the convention or not, free to export narcotics to a country not bound by the convention or operating the system of import certificates, and through that country to carry on unrestricted traffic.

The treatment of the coca-leaf is lamentably inadequate. The Conference naïvely swallowed the claim of the Bolivian delegate that its use by the South American Indians was harmless, and brushed the subject aside ; impressed also by the assertion that since the coca shrub " grows wild,"

and the natives in Java use it in "living hedges," its extirpation beyond the needs of medicine and science is chimerical. There was no Peruvian delegate present to support the official Peruvian allusion to the "terrible cocaine craving" among the Indians; nor to face the allegation that crude cocaine from Peru is afloat in the illicit market at Hamburg.

The convention gives no clue by which to identify the "wholesaler" and "retailer" so as to make the irregular possession of narcotics in quantity certainly illegal. It seems to be assumed that the possession of a "licence" is sufficient protection against illicit traffic. The same may be said of the licence to manufacture—as if the mere possession of it would somehow *ipso facto* restrain production in accordance with the long-standing pledge to limit it to legitimate needs. Differences in usage of terms between different countries involve the danger that reports of stocks in hand will not be on a uniform footing and therefore incomparable and misleading.

The convention fails to take any account of harmless substitutes which now or hereafter may take the place of habit-forming drugs and so virtually force existing stocks of the latter into the illicit traffic. Incidentally, it takes too much for granted the supposed innocence of codein, made from morphine and only less the vehicle of morphia, and ignores its character as the source of at least two habit-forming narcotics, *eucodal* and *dicodid*.

The Conference refused to follow the American example and urging to prohibit the manufacture of and traffic in heroin, derived from morphine, although the medical profession is overwhelmingly of the opinion that its danger far outweighs any possible medical value.

A large loophole is left in the fact that governments

are not required to report stocks of narcotics on hand for government purposes. The reason assigned for this was that in case of war such reports would disclose information as to what in such event would be army medical supplies. But the First Conference agreed to make the import of "raw" as well as "prepared" opium a government monopoly, and if, as may be hoped, the handling of manufactured narcotics some day becomes likewise a government monopoly, then the entire supply might come to be reserved as a confidential affair; whereas what is most needed is complete accuracy and publicity as to the whereabouts of every ounce of this stuff. It should be noted, however, that stocks acquired or held by governments for eventual sale are not to be regarded as "for government purposes."

While great stress is laid in the convention upon the illegitimate traffic, and the Central Board is enjoined to watch continuously the course of international trade with that traffic constantly in mind, no great attention was paid in the Conference or any committee thereof to the methods of the smuggling business, and little was done directly to discourage it. For example, the Conference refused to adopt anything resembling the following, suggested by the American delegation:

> Each contracting party shall make it a penal offence for any person within its jurisdiction to procure or assist the commission, in any place outside its jurisdiction, of any offence against the laws in force in such place for controlling or regulating the manufacture, sale, delivery, distribution, use, possession, export, or import of any of the substances covered by this convention.

This would have gone far toward meeting the grievance of China about the abuse of extra-territoriality, so far as the smuggling of narcotics is concerned.

Nothing was done toward making such offences extraditable although the United States is in process of enacting treaties to that effect with Canada and Mexico.

Beyond a feeble recommendation that the subject be studied, the convention fails to provide for the heavy cash bonding of all persons dealing in any way in these substances, so as to rob the illicit traffic of the great profits which are its principal incentive. When this proposal was urged by the Polish delegate, Sir Malcolm Delevingne thought that hard penalties, of fine and imprisonment, were sufficient. But of what use are these against a person who has raked in a fortune under the protection of a mere licence (obtainable at trivial expense) and fled the jurisdiction—especially if you cannot extradite him ?

The convention makes no definite provision for establishing the world's bona fide requirements for medical and scientific purposes, or even for the manufacture of " prepared " opium ; without such knowledge, who can say whether accumulation of stocks of either raw material or drugs is excessive or a probable source of smuggling ?

While minute provision is made as to the regulation of legitimate *traffic* by import certificates, no standard is set up or suggested for the control or limitation of *manufacture*, which is the crux of the whole question.

There appears to be no provision for the control of manufacture of medicinal preparations containing opium or other narcotics (such as the so-called " anti-opium remedies "). So far as the convention goes in words, it would appear to be permissible to make these in unlicensed premises.

The control of free ports, free zones and bonded warehouses, is inadequately provided for. Narcotics should be declared upon arrival at any frontier. These " no-

man's lands " are indeed among the best storage-places and bases of the international smuggler. Japan already has made storage of narcotics in such places illegal. Narcotics should be under special and incessant surveillance, like gold. It is a question whether their storage should not be a government monopoly, in special storage-places under adequate guard.

The convention lays no stress upon the necessity for uniform legislation, internal or international. Nor does it offer any premium to ratification ; nor any suggestion of penalty against a country refusing to co-operate. Non-participation in anti-narcotic measures should be regarded *prima facie* as suspicious.

Paragraph 4 of Article 15 leaves a wide door open ; the stiffness of regulation is

> . . . without prejudice to the provisions of any international agreement which limits the control which may be exercised by any of the contracting parties over the substances . . . when in direct transit.

The convention makes no provision for its certain application to such territories as the Saar Basin, and leaves the signatories free to exempt possessions, protectorates or overseas territories. What is needed is certainty as to the status in this respect of every part of the world. Only so can a " centre of illicit traffic " be effectively isolated and boycotted.

No declaration is made in favour of the invariable and immediate destruction of illicit narcotics upon seizure. This is indispensable both to adequate enforcement and the validity of statistics as to existing stocks ; not to mention the temptation to theft and official corruption.

Incidentally it may be mentioned that while both the French and the English texts of the convention are de-

clared to be authoritative, they are in some particulars not exact translations and are thus open to controversy as to precise significance.

In a word, the world has reached as yet only the stage of a somewhat but insufficiently solicitous willingness to *control traffic* in a commodity, with reference primarily to the protection of commercial interests and the right of each country to compete without serious interference for the whole market. It has not yet acknowledged in any substantial way the necessity of restricting the output of the commodity for the common welfare.

The best by-product of the Geneva Conferences was an amazing amount of publicity, and the awakening of a public interest which seems to be increasing. To that the dramatic circumstances of the American withdrawal contributed notably. If everything had gone smoothly, and out of peaceful, dull and technical discussions had emerged a half-result, or even a fairly satisfactory one, the world might have said:

"Well, that's that. Now we have opium and drugs disposed of and we can all go a-fishing."

Instead of that, if only because all the world loves a fight better than an accomplishment, "Opium" for an indefinite period will be a subject of interest charged with all the thrilling possibilities of international controversy. Never again will "Opium" subside into the mysterious shadows out of which it has been dragged. The problem is on its way to solution. But before that much-to-be-desired consummation, we have a long, long way to go; a hard battle to fight, with an enemy which never sleeps or loiters, upon whose domain the sun never sets.

CHAPTER IX

SO FAR, SO GOOD—WHAT NEXT?

EVEN admitting, as I think we must, that the Geneva Conferences—having reference particularly to the Second—registered, in words at least, certain net gains, perhaps on the whole as much as was to be expected; even accepting for the moment a half-loaf as better than no bread at all; nevertheless, it is exceedingly important to remember that the net gain, whatever its theoretical value, as yet is and probably for a long time will continue to be *only on paper*. There is a long and arduous road to be travelled before any of it can be put even nominally into effect. Meanwhile will grow a false and harmful sense of accomplishment, as if something had been set in motion. Nothing has been set in motion. Something very important has been lost.

Hitherto, the United States has been a leader in the international war against narcotics; the various conferences including and since that at Shanghai in 1909 have been called for the most part upon American initiative. The withdrawal of the American delegation from the Second Geneva Conference did more than merely register dissent from policy and result in an output materially less satisfactory than it would have been had they stayed to the end and helped to get the best convention that was possible in the circumstances—even if they had consummated their dissent by refusing to sign it after all. It

disclosed, embittered and went far to crystallize permanently, a conflict of spirit among the nations which have been and ought still more to be comrades in this war. After all is said, the United States and Great Britain are the logical leaders in it, and the unhappy discord which displayed itself at Geneva has done irreparable harm to the *morale* of forces which presumably were and indisputably ought to be aligned. Especially the pity of it is that the discord partook so largely of the character of personal incompatibility. That, however, is a story by itself.

As for the others . . . Germany, most prolific of the narcotic manufacturing countries (bound to the Hague Convention in any event by force of arms under the Versailles Peace Treaty) subjected her assent to and compliance with the measures adopted by the Conference specifically to the proviso that she should have a member on the proposed Central Board. Persia, now perhaps the greatest exporter, and with Turkey the source of most of the smuggled "raw" opium, made her signature subject absolutely to the receipt of substantial financial assistance in trying to supplant the cultivation of the poppy with other crops. Having been a neutral in the Great War, the peace treaties did not make her a party even to the Hague Convention, and she never has ratified it. Turkey not only is not a party to the Hague Convention by any means while at the same time a prolific producer of opium, but at this writing has not even signed the Geneva Convention, although a member of the Conference which produced it. Switzerland, second only to Germany as a manufacturer of narcotic drugs and quite as notorious as a source of smuggling, was a neutral in the war and therefore unaffected by the peace treaties, and ratified the Hague Convention only in 1925. Her

reluctance in doing so after thirteen years hardly encourages optimism about her participation in any new measures. France, the Netherlands, Belgium, Portugal, India, Jugo-Slavia, Greece and others, all more or less involved in the production of raw materials or both ; as well as those countries serving chiefly as markets from which their nationals derive incidental profits, seem still to labour under the delusion that legitimate commercial and in some sort political interests are at stake. With some distinguished exceptions, most of the nations, with varying motives, display, as they displayed at Geneva, a disposition to hang back, wait, or " let well enough alone." If the nations which hitherto have led seem indifferent and quarrel among themselves, why should the others hurry ?

Technically, to be sure, the situation remains as it was before. The Hague Convention still stands unimpaired. The Agreement of the First Geneva Conference specifically declares itself to be only supplementary thereto. The Convention adopted by the Second in no perceptible way weakens the Hague Convention ; indeed, as we have seen, it reiterates in less equivocal terms the vital major pledge of that document with regard to the limitation of manufacture, even though no party to that pledge has as yet kept it. And while it would supersede the Hague Convention as among its participants, it expressly preserves the old obligations as between them and those not adhering to the new—in these words :

> *Article* 31. The present convention replaces, as between the contracting parties, the provisions of Chapter I, III and V of the convention signed at The Hague on

> January 23, 1912, which provisions remain in force as between the contracting parties and any States parties to the said convention which are not parties to the present convention.

It would be so in any case. A contract remains binding upon the parties to it unless and until abrogated by mutual consent or otherwise in accordance with its provisions. Neither party can override it lawfully by agreement with outsiders. In withdrawing from the Second Conference the American delegation definitely declared its intention to go on under the terms of the Hague Convention, abating none of its obligations or its vigour in attempting to carry them out, and waiving none of its rights thereunder. None of its rights: that is a thing to be remembered by those who fear that the new agreements, even if put into force, would in any way nullify or impair the validity of the Hague Convention. No matter what arrangements any or all of the other parties to that convention might make as among themselves, every one of them is bound still as a matter of law to its pledges to the United States under that international contract—as well as to any other Power electing to stand pat upon it. That fact was the basis of Mr. Porter's entire case in the Geneva Conference. The old obligation to the United States in all circumstances remains in all respects a prior claim.

But, however the situation may be legalistically unaltered, it is not the same. The psychological position has lost ground lamentably. The United States, as represented by those whose personal influence probably will control the official attitude in all important respects, seems not at present in a mood, nor in any practical wise to be depended upon, either to resume participation in

the leadership in which hitherto it has been both eager and conspicuous, or to assist in any way in conserving the results, such as they were, of the Geneva Conferences. Indeed, the atmosphere created by and surviving the events of that conference is hardly such as to encourage the spirit indispensable to either effective leadership or whole-hearted co-operation.

As for the new drug-convention—while we may expect the co-operation of the United States in any advanced measures that may be taken by others, either under the convention or regardless of it, her failure to ratify it, and still more her tacit if not outspoken contempt for the policy and fruits of both of the Geneva Conferences, are more than likely to operate as excuses for delay and non-adherence on the part of other nations.

Without the enthusiastic, aggressive co-operation of all of the nations—the United States, Great Britain, Germany, France, Italy, Holland, Switzerland, Japan, India, Persia and Turkey especially (to say nothing of China, willing enough in spirit but fatally weak in the flesh of performance) the war fails and will continue to fail. The battle-line of 1925 and an indefinitely-prolonged future wears the look of sadly-interrupted *liaison !*

The Council of the League of Nations, at its meeting in March, 1925 (immediately after the close of the Geneva Opium Conferences), proceeded to throw open the drug-convention adopted by the Second, for signature, to all nations which neither were represented in the Conference nor are members of the League. These included Soviet Russia, Mexico, Afghanistan, Ecuador, Iceland, the Hedjaz, and the diminutive but independent States of

Monaco, at the Mediterranean edge of France; Liechtenstein, between Switzerland and Austria, and San Marino, buried in the midst of the Adriatic side of Italy. Even the somewhat anomalous political status of the Soudan did not prevent its being invited independently of either Great Britain or Egypt, to sign and adhere. Copies of the convention were sent likewise to States members of the League which did not participate in the Conference, and quite particularly to the two which participated but withdrew before the close; namely, China which is a member of the League, and the United States which is not. Under the terms of the convention, any State represented in the Conference, or to which a copy of the convention was thus communicated, might sign as an original signatory up to September 30, 1925, or "accede" thereafter.

So now the whole process, so far as concerns effectuating the results of the Second Conference, including especially the establishment of the Permanent Central Board, is at a standstill for the indefinite period which must intervene before the *ratification* by a sufficient number of the Powers specifically prescribed therein, to put the convention into force.

The words in which Chairman Porter of the American delegation declared their withdrawal from the Conference and the continuing attitude of the United States, included this by way of pledge:

> We desire to make it clear that withdrawal from the present Conference does not mean that the United States will cease its efforts through international co-operation for the suppression of the illicit traffic in opium and other

> dangerous drugs. The United States recognizes that the world-wide traffic in habit-forming drugs can be suppressed only by international co-operation; but believes that for the present at least, greater strides in the control of the traffic may be hoped for if it should continue to work towards this end upon the basis of the Hague Convention of 1912.

Mr. Porter even went so far as to acknowledge, concerning the drug-convention (as it stood provisionally and in process of making, at the time of his withdrawal) that "in the matter of manufactured drugs and the control of transportation, an improvement over the Hague Convention is noticeable." Owing largely—I believe chiefly—to the failure of the Americans to stay on and fight for the best convention obtainable in the circumstances, that "improvement" was subsequently considerably diminished; but, even so, as it finally emerged without their help, and as it stands now, the document marks so great an advance upon the Hague Convention that failure to put it into effect, or long delay in doing so, would be in my judgment nothing less than a calamity. For such a calamity the American attitude will be considerably responsible.

I appreciate fully the reasoning of those who accredit to Mr. Porter and his colleagues a special degree of fidelity to something that they are pleased to call "principle," and to the United States as represented by them, a finer exhibit of moral rectitude than could be claimed by any other nation represented in the Conference. These maintain not only that the American delegation was justified in refusing to yield an inch in its demand for a definite pledge to outlaw opium-smoking and to restrict the production of raw material within a specified length

of time, but that only so—by scorning any sacrifice of principle to alleged practical fact or to expediency, any willing modification or implied evasion of the express terms and obligations of the Hague Convention—could it conserve its position of moral leadership, definitely acknowledged in words by the Advisory Committee, the Council and the League. To those who criticize the American procedure of enacting into law a year in advance the instructions which bound the delegation so that if it could not get its maximum it must quit and go home, those holding this view retort that the only essential difference between the American delegation and the others in this regard was that in one case the instructions, however inexorable, were plain and known of all men, while those of the European delegations, not less inexorable, were secret. Moreover, these contend, the American instructions represented an immovable determination to kill the opium traffic; while the others, however camouflaged by fine-sounding phrases and plausible excuses, at bottom were designed to perpetuate the evil and conserve the flow of private profit and governmental revenue. While they acknowledge that perhaps in some respects the new drug-convention represents an advance upon the Hague Convention, they regard that advance as so small on the whole, so devoid of the measures essential to the real destruction of the drug-evil, that it would be better to let the whole product go by the board and after awhile start afresh, than to allow the world to believe that something substantial has been accomplished, and go to sleep again. Let it go, say these; then in a year or two, or five maybe—especially if in the meantime the convention has died by default—the United States with at least a clear conscience can resume the initiative and

demand a fresh attack. Its flag anyway never has been sullied by compromise or surrender !

I cannot share this complacency. I think it is based upon a mistaken view of the situation. But this is not the first time in history that substantial progress has been thwarted or retarded by an appeal from something that was called " expediency " to something that called itself " principle."

However one may justify, upon theoretical grounds—or upon grounds of " principle," if you prefer—the inexorable attitude of the Americans ; confidently as one may assume (and I do assume) that by no act or intentional omission will the United States abate its own efforts or embarrass or obstruct those of other nations, whether under the feeble provisions of the old convention to which it remains a party, or under the strengthening ones of the new should the other nations put it into effect ; the fact remains that regardless of their expressed intentions the Americans in a lamentable degree have abdicated the leadership in this business which for a quarter of a century has been held by the United States. Achilles, sulking in his tent, leaves the battle-line, even such as it was, not only the poorer for his absence, but materially broken and spiritually disheartened. The present condition destroys, at least for the time being, the *morale* of the Allies in this war, and even the appearance of that international co-operation without which the drug evil cannot be appreciably checked, much less suppressed, in the United States or anywhere else. This is not a trench-warfare. The line is always moving either forward or back. The situation gives substantial support, certainly vast satisfaction, to the common enemy.

As I said at the outset of this book, " the apparent conflict of purpose which appeared in both of the Geneva Conferences and which for a long time will confuse council and retard progress arises from the existence of two fundamentally differing conceptions of the nature of the problem and therefore of the kind of measures necessary for its solution." Let us examine now more carefully those two fundamentally differing conceptions.

Leave out of account those persons merely indifferent and cynical, who affect to believe that the victims of this addiction are inferior and socially negligible persons, classes and races, flotsam of humanity, whose destruction means small loss if not net gain ; likewise that kind of congenital " optimist " somewhere defined as " one who doesn't care what happens so long as it doesn't happen to *him* " ; in short, all those who are not, or think they are not, interested in having any anti-narcotic war at all. Leave out of account, too, those temperamentally timorous and despairing souls who deprecate the situation and " wish something could be done about," but who, all the more because they realize the formidable character of problems and perils, shut their eyes, run away, or abjectly lie down in front of them. Leave out of account still more those reactionary survivors of antediluvian schools of economic and political philosophy who still imagine that some permanent national or racial advantage can ensue from the negligently or even the forcibly injurious exploitation of other and physically weaker peoples ; together with their coadjutors, those " hard-boiled " devotees of short-sighted " business-is-business " to whom profit—especially personal profit—is the be-all and end-all of existence.

Among those undeniably sincere, humane and un-

selfish in their desire to cope with this evil, and more or less well-informed as to its particulars, there is honest divergence of conviction. I say "more or less well-informed" because it is peculiarly true of this extraordinarily complex problem that contact with any aspect of it tends inevitably to distort the perspective. Few indeed are those who, however deeply and magnanimously interested, see it in all its bearings, as a whole.

As I have intimated, there is honest divergence of judgment among intelligent and wholly interested groups, seeing the subject from at least two differing points of view.

I. One of these groups centres its interest chiefly upon the Far East and upon *opium proper*, "raw" and "prepared"; upon the cultivation of the poppy and the production of opium therefrom, particularly in India—often they seem singularly oblivious to the great output of Persia and Turkey, and usually underrate the extent of the backsliding of China and the difficulties in the way of her recovery. They hold that until the Powers located or having possessions in those parts abandon their policy of legalizing and deriving revenue from the addiction in eating and smoking, the indiscriminate cultivation of the poppy and the over-production of opium will continue, and the stuff will spread out over the world, thwarting all efforts to exclude it, both from direct use and from conversion into a great and increasing over-supply of manufactured derivatives. They maintain that to deal only or chiefly with the drugs is to neglect the lion's share—Mr. Porter, for instance, estimated it at 75 or even 90 per cent—of the total production of opium. For this reason they do not agree that limitation of drug-manufacture would substantially affect that production.

They appear as a rule oddly indifferent to the subject of coca-leaves, the raw material of cocaine, which everywhere, including the East, is supplanting all forms of opium, except cocaine's terrible rival, heroin, made from morphine, and therefore attributable to opium. I suppose this general attitude is partly due to the fact that the nucleus of this group consists of persons, many of them missionaries, especially interested in the Orient, as well as the Orientals, and particularly the Chinese themselves, who hitherto have seen this problem chiefly in terms of the smoking (and eating) of opium, and only lately have had to confront the more serious evil of the manufactured drugs.

It is characteristic of this group to hold Great Britain in general and the Government of British India in particular, chiefly responsible for the conditions existing in the Far East, believing—most of them sincerely; though this group includes the variously-motivated congenital haters of "England"—that if these two governments really desired to do so, they could, by example, leadership and judiciously-applied "pressure" of various kinds, force the others concerned into new and better ways.

This first theory of the situation was in the main represented at Geneva by the American delegation, and its withdrawal was due almost entirely to the fact that both of the conferences approached the subject from another standpoint.

II. The group representing the other theory is variously constituted, but most of the parties to it converge in the belief that the main attack under existing practical conditions should be made with reference to the manufactured derivatives, morphine, heroin and cocaine; to the control of their manufacture, distribution and

consumption, and especially to the suppression of the illicit traffic in them. We have taken pains above expressly to exclude from consideration the whole *laissez-faire* array, of the stolidly, timidly or cynically indifferent, and the callously greedy who welcome profits from any market regardless alike of conscience and of consequences. Among those desirous of bettering conditions are such as honestly believe that the opium practices of India (exclusively India's affair, if you please) are relatively harmless, anyway beyond cure within any measurable time, and highly inexpedient as a subject of governmental interference under existing political conditions; that those of China and the Chinese are equally incorrigible. These see no hope in present circumstances of checking the great production of opium in Persia, Turkey and China, and therefore believe that any attempt to enforce immediately prohibition of consumption in the East would be a futile as well as an impossibly expensive gesture, certain to be nullified instantly and automatically by smuggling. Most of them are alive to the increasing danger from narcotic drugs manufactured in and smuggled from the West and Japan; but they see this as only a part of the world-situation, and believe that the protection of the East as well as of their own homelands can be accomplished best, if not only, by controlling manufacture and suppressing the illicit traffic. Incidentally there is among some of them the desire to establish "rules of the game" for the sake of fair competition in the "legitimate" drug-market. Generally, these people believe that limitation of the production of drugs will so constrict the market for the raw material as to discourage the cultivation of the original plants.

To this second group belong an increasing number of

those hitherto of the first-intelligent friends of the Oriental peoples, who, while fully realizing the evils of opium eating and smoking, and not underrating the desire and effort to diminish those and to circumscribe by every possible means the production of the raw material, have come reluctantly to believe that those practices are less injurious on the whole than the addiction to the more powerful manufactured derivatives which is rapidly supplanting them. The International Anti-Opium Association, for example, in its *Bulletin* of February, 1925, asks: "If China cannot be protected against narcotic drugs, would it not be wiser for her to retain her opium?"

This theory of the present position is, I have come to believe, inevitably that arrived at by those *who see the subject whole;* regarding the Far Eastern situation in all its aspects and with full view of the regional and, if you please, the racial peculiarities, in existing conditions not only as practically insuperable by immediate direct attack, but as in reality the less pressing aspect of a peril and problem of the whole world. I share with them, after considerable study of the matter, the belief that we cannot afford to await, or to expend our chief effort upon the long process of education and political readjustment required for the elimination of ancient practices and the reconstruction of agricultural, economic and social conditions in far outlying regions (however desirable such elimination)—certainly not by dependence upon fine-sounding prohibitions which cannot or anyway will not be enforced—before tackling vigorously that part of the problem which lies within entirely practicable effective control and limitation under our "civilized" noses, in the United States, Europe and Japan: in the place whence

every ounce of manufactured derivative must emerge at the outset of its quest of the ultimate consumer. Namely, *the Factory.*

It is possible to conceal, or to overlook inadvertently or intentionally, a field of poppies in an outlying district of India, Persia or China, or a growth of coca shrub in a mountain valley of Bolivia or Peru ; or to gaze in rapt contemplation of innocent verdure upon a " living hedge " in Java. The making of " raw " opium from the poppy-blossom, or even from it of the " prepared " opium for smoking, is relatively as simple and easy as the distillation of " moonshine " whiskey in a lost Kentucky valley. (To be sure, the Chinese throughout the empire, before the present chaotic political condition did, and in some districts do even now, punish infringements so drastically—as for instance by the cutting off of heads—as to discourage even surreptitious cultivation.) But China is the only country that ever was seriously determined to suppress production : *and did it !*

A pharmaceutical laboratory, equipped to make alkaloids on any profitable scale, cannot be hidden in the woods. It is an expensive and elaborate affair. It must import raw material. It can be found and subjected to scrutiny and governmental discipline quite as readily as a distillery or a brewery ; more readily than a tobacco factory. The United States Government has no difficulty in exerting its sway over every cigar or ounce of smoking tobacco manufactured within its jurisdiction. Smuggling is sporadic and all but negligible. The British, French, Dutch and other governments, collect their taxes upon every litre of alcoholic spirits. No gold, silver, or paper money in appreciable amount gets out of the mints or Government's printing offices into illicit traffic, and counter-

feiting is punished with prohibitive severity such as would go far to abolish the illicit traffic in narcotic drugs. The manufacture of these poisons can be limited and traffic controlled, and will be—as soon as the governments, compelled and supported by an awakened public opinion, become determined to do it.

And here we stick. The jealousy of national sovereignty, in large part camouflaging the raw greed of "business interests," is still the obstructing influence. Portugal declared officially in so many words that she would not tolerate anything in the nature of international control. Germany and Switzerland, the great producers of these "goods," exhibited reluctance to furnish to the Central Board with accuracy and celerity the data essential to its usefulness. The Netherlands demurred and got into the convention provisos that the Board must be scrupulous in minding its own business. France uttered gloomy predictions about the enormous labour and expense involved in supplying at frequent intervals the kind of data that the plan called for. Even Great Britain, which with the United States fought for broad powers in the Board, did not want to see anything erected which would discourage the building-up of "trade." After the defection of the United States, Great Britain fought alone for the Board, and in the end had to yield materially to the disposition to make it weak rather than strong. There was even for a time a movement (fortunately unsuccessful) to divorce the Board altogether from the League of Nations and make it a futile little affair of jealously-guarded, confidential information off in a corner by itself. You see, the genius of the League, and effective service by such a Board, even with its narrowly-restricted scope, demand the utmost of publicity—all the cards in sight—

which is exactly what most of the people concerned in this business do *not* desire !

The basic point of view must be changed. This is no longer a question of commerce as such. Nor a missionary question affecting chiefly the Far Eastern peoples or the South American Indians, among whom it originated. It has become the anxious concern of the whole world, and must be dealt with as radically and as unselfishly as the most sincere, intelligent, beneficent international co-operation and administration can contrive.

So the first thing needed is that the leadership in this warfare should get together. Essential to the getting together is intelligent knowledge of the facts, upon which can be based a common conception of policy. The whole process now is befogged by emotional, uninformed or half-informed exaggeration on the one side and interested reticence and obstruction on the other. It is not enough that the world should realize as it does not yet that narcotics—however invaluable under proper medical control—have got entirely out of hand ; that the fire indispensable on the hearth has become a conflagration. In order even to that preliminary realization, and still more to effectively-unified action, there must be information ; information at present nowhere available, upon at least three phases of the subject :

First, there must be information, as precise, exhaustive and up-to-date as possible, expertly correlated and interpreted, about the world's needs and the world's production and supply ; a complete and constantly-corrected survey of the whole position, everywhere in the world.

Second, there must be continuous acquaintance with

the progress of science and technology in this field, with respect especially to natural *and synthetic* narcotics of two classes :

(*a*) Newly-discovered habit-forming drugs.

(*b*) Harmless substitutes for those already known. A harmless substitute automatically releases just that much of the harmful one to be thrown, or forced, into the channels of addiction.[1]

Third, and equally indispensable, is adequate, up-to-the-moment intelligence as to the extent, methods, channels and personnel of the illicit traffic. Only upon such intelligence can be based an alert and constantly-improving technique of detection and prevention, such as international police co-operation brings to bear upon the protection of life and property against murder and large-scale robbery and fraud. The illicit traffic in these disaster-spreading poisons must be on the same footing as world epidemics of disease. The drug-smuggler must be under the same ban of outlawry as the pirate, once " an insoluble problem."

All this means, in the first instance, an authoritative stock-taking of the situation in all its bearings, throughout the world as a whole ; including every country, colony or territory, whether self-governing, subject or mandated ; to provide material for a war map, so to speak, clear and comprehensive, as a basis for strategy and tactics. Without such knowledge, freely and

[1] The *British Medical Journal* and the *Lancet*, of April 28, 1924, reported the appointment by the Minister of Health, after consultation with the Medical Research Council, of a committee " to investigate the comparative value, for the therapeutic purposes for which cocaine is at present used, of various possible substitutes, and the evidence as to risk, if any, of such substitutes becoming drugs of addiction." The Secretary is Dr. E. W. Adams, Ministry of Health, Whitehall, S.W. 1, London, to whom communications relating to the work of the committee may be addressed.

promptly exchanged and co-ordinated, this full international co-operation—disinterested in the face of a common danger—concerted measures of protection will be impossible, and the attempt futile from the start.

This general purview outlines the job of the Central Board provided for in the convention adopted by the Second Conference at Geneva—when and if ever established. Sooner or later some such agency will have to be created. But its scope and powers must go beyond anything conceived of by the Opium Advisory Committee with which the idea originated, or by the Americans who appropriated it, or as yet consented to even in principle, by any of the nations. That Board, or some other body in its stead, must serve as the General Staff, organizing the war against an enemy more powerful, and at the same time more insidious, than any disease. It must be the custodian and agent of the knowledge and intelligent purpose of the world in this field; the memory and the directing brain of self-defending humanity. Its powers must be increasingly full and aggressive; its greatest weapon swift publicity; its sanctions based in the essential rightness of informed public opinion. The only remedy for this affliction lies in the awakened fear and the enlisted intelligence of mankind. The proper function of the Board is to arouse and intensify that fear, to organize and effectuate that intelligence.

The Board was visualized in one of its possible activities by Mrs. Helen H. Moorhead, secretary of the Opium Committee of the Foreign Policy Association (New York), in this fashion:

> Picture a map of all the trade routes of the world, with pins bearing slips of paper marked "raw opium," "morphine," "heroin," etc., being moved from port to port,

from one caravan stop to the next oasis; showing the position of the trade and the amounts of each drug as it moved across the world. The Central Board would be informed of each ounce of narcotics manufactured or transported.

Any nation which obstructs the process, or is niggardly or wilfully tardy with its information, must be viewed with suspicion as it would be if it refused co-operation in a battle with the plague. This applies alike to its behaviour toward the Central Board and to the character of its internal legislation, administration and social practices as regards narcotics. It applies as well to its punctuality in ratifying the new convention.

At least one nation, dilatory in its adherence to the Hague Convention and for more than that reason under suspicion as to the scrupulosity of its conduct in respect of narcotics, was eventually somewhat expedited in its acceptance of the treaty by the action of certain other nations which adopted the policy of treating *all* imports from that country as suspect. Any shipment of *anything* from that particular territory might contain narcotics! At last the exporters of other, innocuous, commodities wearied of having their shipments spoil while held up for special inspection on account of the one industry (and that conducted by only a very few establishments) opposed to the ratification of the Hague Convention. The innocent got tired of suffering for the suspected, and the thing was done. It can be done again. The economic boycott is a powerful weapon in the interest of public health and safety. Eventually it will become one of the most effective weapons in the armoury of those who fight narcotics.

With all its weaknesses and limitations as compared

even with the instrument originally conceived by the Opium Advisory Committee ; insufficient as it must be at the outset under the terms of the new convention, the Board offers at least a beginning—not good enough, but as good as can be obtained in present circumstances. Out of it can grow the organization that is needed, as fast as the knowledge which it gathers and co-ordinates awakens the world to the need of it. Despite any misguided begrudging of information (the very fact of which will speak for itself) or any restriction upon the interpretation by the Board of what it does discover and make public, the initial display of facts will startle the world. Even the fragmentary official statistics already available in the documents issued by the League of Nations in preparation for and connection with the two opium conferences at Geneva are ominous of what anything like a complete exposition will show. This fact alone ought to stir the nations which honestly desire to better the conditions, to ratify the convention at the earliest possible moment and get the Central Board into being and at least preliminary action.

Probably in the first instance there will be a natural tendency to appoint exclusively experts, as distinguished from persons of broad political or humanitarian vision. Naturally, too, such experts are to be found chiefly among those now engaged in or allied with the industries and traffic concerned, and thus especially familiar with them. This is not by any means necessarily to asperse either their fitness or their capacity for disinterestedness. One of the men almost certain to be nominated by his country for a place on the Board, an adept in respect of technical knowledge and astuteness, when I suggested that he might be tempted unduly to favour his own country and the

chemical interests in which he is a leading figure, said to me with impressive solemnity :

" No, Sir ! This business has passed the stage for that. In the war upon the abuse of narcotics, my heart is international ! "

Equally naturally, the nations will for a time be jealous to see on the Board persons who will give at least fair play to their particular business interests. It will be some time before they will realize that in this matter " business interest " must give way to the interests of humanity.

There will be some danger, too, of a tendency to allow the Central Board to displace the present Opium Advisory Committee and possibly even the Opium Section in the Secretariat, of the League of Nations. That would be a lamentable error ; particularly while the Central Board is restricted in its scope and powers of initiative. Despite its defects, including the predilections of its present personnel especially in favour of the *status quo* in the Far East, that committee has done and is doing invaluable work and has contributed enormously to the subject as a whole, aided indispensably by the intelligence and continuous labour of the Opium Section. The Advisory Committee should now be strengthened, by the addition to it, perhaps as " assessors," of specialists in the technical aspects of the subject ; particularly in the technique of running down the smuggler—such for example as leading police and customs officers experienced in the detective aspect of the anti-narcotic war. Representatives of the police and customs services of various nations might rotate in this service with the Advisory Committee. Certainly such experts will be attached eventually to the staff of the Central Board. But at the outset the Board will be chiefly a fact-finding body. It will be long before

it can safely displace the Advisory Committee. However, facts are what we need just now. To an extent perhaps little realized, they will speak for themselves.

Complete and current information regarding the world's bona fide needs as compared with the world's prodigious over-supply of narcotics of all kinds, is absolutely indispensable to the two major factors which must operate *together* for any substantial success in meeting the present situation and safeguarding the future. Without that twofold, interlocking operation, and without at the same time a knowledge of the " tricks of the trade," especially the illicit trade, the world cannot (*a*) *ration itself* as to production and proper allocation of the supply of raw material and manufactured product; or (*b*) achieve *effective co-operation and harmony of proceedure* by practically uniform legislation and administrative method.

Nothing short of iron-fisted government control—perhaps even government monopoly of production, storage, distribution in every phase of the traffic, from beginning to delivery of the finished drug as close as possible to the ultimate consumer, the patient under medical direction—will serve to end, or even substantially to curtail, the illicit movement of these poisons. In other words, the element of private profit must be eradicated to the greatest possible extent. No property right or interest survives a candid examination of the subject.

Every pound of raw opium or coca-leaf, every ounce of morphine, heroin or cocaine made in the world, must account for itself, from the shipment and receipt of the raw material to and by the factory to the vigilantly-restricted personal possession of the bona fide ultimate

consumer under medical guidance. The persons and establishments authorized to handle the stuff, as growers, transporters, manufacturers, wholesalers, retailers, must be as few as possible, rigorously supervised, heavily bonded, and under strict regulation.

Every movement of the material should be under observation and guarantees. The illegal possession of a single ounce should be treated as if it were counterfeit money—nay, more, as if it were a virulent unit of the plague.

The manufactured drugs should be packed in unmistakably peculiar containers which cannot be opened without destroying the original wrapping or suitable stamp and which cannot be refilled. The unit containers should be numbered serially or otherwise marked individually to facilitate tracing of shipments to their source and to prevent tampering with, abstracting from or substituting for their contents. Anything not thus marked, or misbranded or of anonymous origin, should be treated as contraband. *Any* quantity, however small, should be subject to these precautions. Under the Hague Convention, a quantity below five kilograms of raw opium need not be marked to disclose its contents. That, of Persian opium for instance, represents approximately 9,000 grains of crude morphia, which means in practice that a ton, or any other total quantity, can be transported without marking if the units are less than five kilograms. These precautions were objected to in the second convention on the ground that identifying marks increased the danger of stealing or tampering en route. However well-grounded this objection to indications on the outside of the wrappings or cases in bulk, it does not apply to the units within ; it is of great importance that

the final marketable units should be unmistakably identifiable as to the source of manufacture and the nature of the contents, not only as a guarantee against adulteration and substitution, but as a means of tracing responsibility. There seem to be no such compunctions about the labelling of packages of money—but they are carried under guard in the strong-rooms of ships and the safes of express cars. Just as narcotics should be.

There should be no transit, in bond or otherwise, across forbidden or unprotected territory, and no re-export from the country of originally legitimate destination. The original import certificate upon which was based the proper authorization of export (and emergence from factory should be treated as export ; or, on the other hand, as import if it is to be retained in the country of origin) should be retained by the authorities and not surrendered to the exporter. And the papers authorizing export should accompany the consignment to its destination and be returned to certify delivery. In this regard the new drug-convention offers a great improvement upon the Hague Convention and the measures already adopted by some countries in accordance with it. No scruples or precautions governing transit could be excessive.

I have already spoken of the danger lying in loose control of free ports, free zones and bonded warehouses. It may well be that narcotics should not be allowed in such places at all. The bonded warehouse especially is a great source of danger and needs rigid scrutiny. As I have said before, storage of these substances might well be a government monopoly.

Shipowners, corporations or individuals, and masters of ships, should be made heavily responsible and drastically penalized for participating in or permitting unlawful

traffic in narcotics. Smuggling in naval vessels—a common practice—should be punished with special severity.

Imports of all kinds from a country whose laws, regulations, guarantees, habits and general reputation in these matters are not up to the world's best standards should be viewed with suspicion and habitually inspected with special rigour. Travellers and immigrants therefrom should be regarded and quarantined, so to speak, like persons from a plague-infected port. Their luggage should have intensive scrutiny. A formidable quantity of any of these drugs can be carried in very small compass—several thousand dollars'-worth in a hollow walking-stick. Their bulk with reference to value is comparable with that of precious stones. There should be no export whatever of either raw material or drugs to any country thus suspect—no matter how impeccably authentic its "import certificate."

There should be rewards for seizures and for information leading thereto, as there are now in matters of internal revenue and customs-evasion. France rewards seizures of illicit alcohol; but in matters under the Hague Convention this is left generally to the precarious interplay between official honesty and the immense profits available from drug-smuggling.

In respect of licences: they should carry definite limitations of time and quantity, and inspection of premises and stocks in hand should be constant and vigilant. Responsibility under these restricted permissions should be *personal*—you cannot jail a corporation, and no fine practically enforceable will discourage a corporation against the great temptations involved in this business. Thefts of drugs and habitual discrepancies in accounting

should involve the cancellation of licences, and no person whose licence has been cancelled ever should have one again. No addition of stock, of raw material or manufactured, should be permitted to a licensee until all former supplies have been properly accounted for.

The prompt destruction of all illicit material seized is of great importance. Otherwise they will not only present irresistible temptation to corruption, such as resale by dishonest officials—a phenomenon not by any means confined to the Far East, as the United States knows all too well in the matter of seized alcoholic liquors—but will destroy the validity of all statistics purporting to disclose stocks on hand. A large seizure, such as that of $450,000-worth of drugs in Brooklyn in the spring of 1925, or that of a ton (1,000 kilograms) of morphine at Rotterdam about the same time,[1] might give to a relatively small country a supply equal to that which it had reported as the sum of its legitimate needs for a year. The police of New York City on June 15, 1925, destroyed drugs estimated as worth (at pedlar's prices) $1,500,000; but this represented accumulation during the period of a whole year, of more than 1,500 parcels, and 2,732 arrests, 97 per cent of them, Dr. Carleton Simon, Special Deputy Police Commissioner, said, in announcing the destruction, resulting in convictions. Seized drugs should be destroyed forthwith.

The needs of the situation cut fine. It is not enough to seize and destroy opium pipes. Hypodermic needles, syringes and other devices for the injection of drugs,

[1] The dispatch to the London *Times* of May 1, 1925, from The Hague, recounting this seizure, said in part:

"The cases, manufactured in Germany, were dispatched from Switzerland and destined for Canada, and the contents are stated to be worth £20,000. The police have arrested two Canadians and a Swiss."

such as are in the markets everywhere now, as easily purchasable as candy, or toys, should be placed in the same category as the drugs themselves, at least to the extent of permitting them to be sold only to physicians or upon prescription. In ordinary circumstances the layman has no legitimate use for such a thing. In very few States in America does the law restrict their possession. I know of no other country in the world, excepting China alone, where they are under restriction, that has legislation of any kind on the subject.

What is the use or efficacy of a system of licences if it does not mean meticulous restriction and inspection of the factory and limitation to legitimate needs of its output? If one can produce or get possession of these drugs under cover of a licence requiring only a reputation for respectability and purchasable at nominal cost, and in one transaction perpetrate delivery into illicit hands at home or in a more negligent country of an amount carrying an enormous profit, even a considerable fine, or a few months in prison, is a small price to pay. There would be less of this sort of thing if every step, of manufacturer, strictly-defined wholesaler, and retailer too, including the physician, were minutely covered by unmistakable restrictions ruthlessly enforced, and at the same time guaranteed by a cash bond so large and penalties so formidable, as to put the premium on honesty, rather than, as at present, upon evasions.

As for the import certificate, we have seen in the situation at Vladivostok for example, how futile it is in the presence of port authorities ready to issue it to anyone who has the price. Without a control that amounts to the rationing of every country and an embargo against those countries which refuse to co-operate; without a

body of current and swiftly-communicated information as to production, export needs and stocks-in-hand of those nations whose behaviour entitles them to have this stuff at all, the import certificate simply legalizes and facilitates the irregular traffic and penalizes the nation acting in good faith, for the benefit of the negligent and crooked.

Just as we now safeguard the movement and storage of high explosives, so must we control the movement of these dangerous substances. An explosion of "TNT" or dynamite may devastate its neighbourhood and destroy a considerable number of lives . . . a very much smaller bulk of morphine, cocaine or heroin may spread its disaster over a whole country-side and start the ruin of a province.

It is well enough to lay stress upon the need of rescue for those who have become addicted ; to recognize that, whoever may have been responsible at the outset for their plight, they are now more or less helpless victims of an all but incurable disease. There should be no less, but much more indeed, of that business of mercy and rehabilitation. Say, if you will, that these poor creatures, whether in America, in Europe or in China, are folk congenitally weak, inferior, criminal or what not. Deal with them in hospitals, or in prisons, or abandon them as hopeless, in accordance with the prevailing theory whatever it may be. There may be room for argument here, and difference of opinion. But all this is "fishing behind the net." With these the mischief is done and for the most part irrevocable.

There can be no honest difference of opinion as to the need for throttling this danger, the cause of all this ruin, at its source. Unfortunately, the situation is complicated and made more difficult by the fact that within the limits

of medicine and science these substances appear to be not only useful but in fact indispensable, and that therefore it is necessary to produce and circulate them in limited amounts. The problem is that of restricting their production to those limited needs, and safeguarding their manufacture and delivery. To that end we must have knowledge very much more complete and well-correlated than is now available ; a technique based upon experience and far-seeing unselfish study of conditions and of methods and carried out with full international co-operation. And we must have a body of informed and awakened public opinion behind that co-operation.

Thus far the agitation in this matter has been carried on by more or less scattered groups, each with its own point of view and theory and in the light of some relatively local aspect of the problem. Who is going to carry on now the agitation in the several countries, including the United States, and especially in those which still imagine it to be to their interest to continue the *status quo* if not to weaken the present inadequate degree of international co-operation, to get the new drug-convention ratified under the difficult conditions prescribed in the document itself, by enough Powers to put it into force ? Especially to get the Central Board into being and functioning for at least the beginnings of its most important purpose ?

Far from uniting the leadership, much less inspiriting the anti-narcotic warfare, the events of the Geneva Opium Conference left behind discouragement, disharmony, loss of even such *morale* as existed before. For all practical purposes the army is demoralized and in retreat, with no one in sight to rally it for a stand—not to mention any

advance against the common enemy. The agreement of the First Conference represents no progress worth discussing, and the new drug-convention adopted by the Second is a thing of printed paper with the odds heavily against its ever being anything else.

Regardless of these conditions and conflicts of view—nay, all the more because of them—the time is ripe for the creation of a voluntary permanent international organization, outside and independent of official machinery, to create, clarify and focus world public opinion and unify leadership ; to gather, interpret and publish facts, to co-operate with and at the same time to spur the public authorities of all kinds vested with responsibility in any and every phase of this subject ; to help the governments to get together, to keep together, and to move forward.

Such an organization would bring together in common purpose and endeavour and with a view of economy of expenditure in money and effort, the existing organizations, such as the International Anti-Opium Association of Peking, the Chinese National Anti-Opium Association, the White Cross Association of America, the English Society for the Suppression of the Traffic in Opium, etc., and should encourage the organization of similar societies in other countries. Without in any way supplanting or conflicting with these ; but strengthening, encouraging and co-operating with them and helping them to co-operate with each other, it would be a clearing-house and medium of exchange among them. It would inform and help to co-ordinate the efforts of the great religious bodies of all lands and faiths, and aid them in provoking effective impulse and power in the machinery which can put faith into action.

The nucleus of such an organization naturally would

be a small group of especially awakened and well-informed persons, free of narrow personal prejudices and jealousies and superior to national interests, especially those of a selfish commercial character. There are men and women in the world—I could name some of them off-hand—ready and fit for such an enterprise. There is available certainly the relatively small amount of money needed for the initial steps, as well as the larger sums which will be necessary as the work develops. There is the need and there is the opportunity.

Nature has demonstrated her ability to create an immunity which in the end automatically smothers out an epidemic of infectious disease. She provides no immunity against drug-addiction. That from its beginning, whether in an individual or in the body social, steadily gains foothold and sweep. That is what it has done and is doing in the world at large. Nowhere has it suffered any setback.

This is no summer's-day enterprise upon which the nations are forced by their past to enter. It is extraordinarily complicated and difficult; but it is a matter of life and death, and every day of half-heartedness, of delay while pettifogging about "national sovereignty" and miscalled "business interests," makes it only the more difficult. It comes down at last to the question whether the world war against the drug-evil is an academic affair, of pious declarations and empty gestures, defence of old positions and obsolete pronouncements, proud consistencies and saving of faces; or whether, in the face of a world-peril, the nations shall join in common effort against an enemy of all mankind, as they would and do

against virulent disease. Making the while the sacrifices of pride, of temporary and illusory economic and political advantage and individual sovereignty, which must be made sooner or later.

They are not yet frightened enough. They fancy that they are still at the stage represented by the feeble agreements of the Hague Convention of more than a decade ago. They do not realize that during the preoccupation of international attention in the World War a situation has developed and is developing with appalling swiftness which is *both worse and different.* It is as if an army had gone into the war in 1918 equipped only with the weapons and possessing only the military ideas and knowledge of the enemy's character, resources and methods which had proved fatally defective in 1914. And not only that, but quarrelling among themselves and suspecting each other.

Meanwhile, the old enemy, opium proper, in new and immensely more venomous and devastating forms, with new allies and in overwhelming quantities, directed by some of the most competent organizing brains in the world, united by the powerful motive of greed and aided by discord in the defence, is beating us in detail, and on all the fronts.

APPENDICES

A. The Hague Convention of 1912, with excerpts from the Protocol and resolutions of the Second Opium Conference of 1913.

B. First Opium Convention of 1925—Agreement, Protocol and Final Act.

C. Second Opium Convention of 1925—Convention, Protocol and Final Act.

APPENDIX A

INTERNATIONAL OPIUM CONVENTION

(Known as "The Hague Convention of 1912")[1]

Signed at the Hague, January 23rd, 1912

His Majesty the German Emperor, King of Prussia, in the name of the German Empire ; the President of the United States of America ; His Majesty the Emperor of China ; the President of the French Republic ; His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India ; His Majesty the King of Italy ; His Majesty the Emperor of Japan ; Her Majesty the Queen of the Netherlands ; His Imperial Majesty the Shah of Persia ; the President of the Portuguese Republic ; His Majesty the Emperor of All the Russias ; His Majesty the King of Siam,

Desirous of advancing a step further on the road opened by the International Commission of Shanghai of 1909 ;

Determined to bring about the gradual suppression of the abuse of opium, morphine and cocaine, as also of the drugs prepared or derived from these substances, which give rise or might give rise to similar abuses ;

Taking into consideration the necessity and the mutual advantage of an international agreement on this point ;

Convinced that in this humanitarian endeavour they will meet with the unanimous adherence of all the States concerned :

Have decided to conclude a convention with this object, and have appointed as their plenipotentiaries :

(Here follow the names of the heads of States and their Plenipotentiaries.)

[1] This is the official English translation : the authentic text is in French. (From League of Nations document O.C.1 (1).)

CHAPTER I

RAW OPIUM

Definition.—By " raw opium " is understood :

The spontaneously coagulated juice obtained from the capsules of the *papaver somniferum*, which has only been submitted to the necessary manipulations for packing and transport.

Article 1

The Contracting Powers shall enact effective laws or regulations for the control of the production and distribution of raw opium, unless laws or regulations on the subject are already in existence.

Article 2

Due regard being had to the differences in their commercial conditions, the Contracting Powers shall limit the number of towns, ports, or other localities through which the export or import of raw opium shall be permitted.

Article 3

The Contracting Powers shall take measures :

(*a*) To prevent the export of raw opium to countries which shall have prohibited its entry, and

(*b*) To control the export of raw opium to countries which restrict its import, unless regulations on the subject are already in existence.

Article 4

The Contracting Powers shall make regulations requiring that every package containing raw opium intended for export shall be marked in such a way as to indicate its contents, provided that the consignment exceeds five kilograms.

Article 5

The Contracting Powers shall not allow the import and export of raw opium except by duly authorized persons.

CHAPTER II

PREPARED OPIUM

Definition.—By " prepared opium " is understood :

The product of raw opium, obtained, by a series of special operations, especially by dissolving, boiling, roasting, and fermentation, designed to transform it into an extract suitable for consumption.

Prepared opium includes dross and all other residues remaining when opium has been smoked.

Article 6

The Contracting Powers shall take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of, prepared opium, with due regard to the varying circumstances of each country concerned, unless regulations on the subject are already in existence.

Article 7

The Contracting Powers shall prohibit the import and export of prepared opium ; those Powers, however, which are not yet ready to prohibit immediately the export of prepared opium shall prohibit it as soon as possible.

Article 8

The Contracting Powers which are not yet ready to prohibit immediately the export of prepared opium :

(*a*) Shall restrict the number of towns, ports, or other localities through which prepared opium may be exported ;

(*b*) Shall prohibit the export of prepared opium to countries which now forbid, or which may hereafter forbid, the import thereof ;

(*c*) Shall, in the meanwhile, prohibit the consignment of prepared opium to a country which desires to restrict its entry, unless the exporter complies with the regulations of the importing country ;

(*d*) Shall take measures to ensure that every package exported, containing prepared opium, bears a special mark indicating the nature of its contents ;

(*e*) Shall not permit the export of prepared opium except by specially authorized persons.

CHAPTER III

MEDICINAL OPIUM, MORPHINE, COCAINE, ETC.

Definitions.—By " medicinal opium " is understood :

Raw opium which has been heated to 60° Centigrade and contains not less than 10 per cent of morphine, whether or not it be powdered or granulated or mixed with indifferent materials.

By " morphine " is understood :

The principal alkaloid of opium, having the chemical formula $C_{17}H_{19}NO_3$.

By " cocaine " is understood :

The principal alkaloid of the leaves of *Erythroxylon Coca*, having the formula $C_{17}H_{21}NO_4$.

By " heroin " is understood :

Diacetyl-morphine, having the formula $C_{21}H_{23}NO_5$.

Article 9

The Contracting Powers shall enact pharmacy laws or regulations to limit exclusively to medical and legitimate purposes the manufacture, sale, and use of morphine, cocaine, and their respective salts unless laws or regulations on the subject are already in existence. They shall co-operate with one another to prevent the use of these drugs for any other purpose.

Article 10

The Contracting Powers shall use their best endeavours to control, or to cause to be controlled, all persons manufacturing, importing, selling, distributing, and exporting

morphine, cocaine, and their respective salts, as well as the building in which these persons carry on such industry or trade.

With this object, the Contracting Parties shall use their best endeavours to adopt, or cause to be adopted, the following measures, unless regulations on the subject are already in existence :

(*a*) To confine the manufacture of morphine, cocaine, and their respective salts to those establishments and premises alone which have been licensed for the purpose, or to obtain information respecting the establishments and premises in which these drugs are manufactured and to keep a register of them ;

(*b*) To require that all persons engaged in the manufacture, import, sale, distribution, or export of morphine, cocaine, and their respective salts shall be furnished with a licence or permit to engage in these operations, or shall make to the competent authorities an official declaration that they are so engaged ;

(*c*) To require that such persons shall enter in their books the quantities manufactured, imports, sales, and all other distribution, and exports of morphine, cocaine, and their respective salts. This rule shall not necessarily apply to medical prescriptions and to sales by duly authorized chemists.

Article 11

The Contracting Powers shall take measures to prohibit, as regards their internal trade, the delivery of morphine, cocaine, and their respective salts to any unauthorized persons, unless regulations on the subject are already in existence.

Article 12

Due regard being had to the differences in their conditions, the Contracting Powers shall use their best endeavours to restrict to authorized persons the import of morphine, cocaine, and their respective salts.

Article 13

The Contracting Powers shall use their best endeavours to adopt, or cause to be adopted, measures to ensure that morphine, cocaine, and their respective salts shall not be exported from their countries, possessions, colonies, and leased territories to the countries, possessions, colonies, and leased territories of the other Contracting Powers except when consigned to persons furnished with the licences or permits provided for by the laws or regulations of the importing country.

With this object each Government may communicate from time to time to the Governments of the exporting countries lists of the persons to whom licences or permits for the import of morphine, cocaine, and their respective salts have been granted.

Article 14

The Contracting Powers shall apply the laws and regulations respecting the manufacture, import, sale, or export of morphine, cocaine, and their respective salts :

(*a*) To medicinal opium ;

(*b*) To all preparations (officinal and non-officinal, including the so-called anti-opium remedies) containing more than 0·2 per cent of morphine, or more than 0·1 per cent of cocaine ;

(*c*) To heroin, its salts and preparations containing more than 0·1 per cent of heroin ;

(*d*) To all new derivatives of morphine, of cocaine, or of their respective salts, and to every other alkaloid of opium, which may be shown by scientific research, generally recognized, to be liable to similar abuse and productive of like ill-effects.

CHAPTER IV

Article 15

The Contracting Powers having treaties with China (Treaty Powers) shall, in conjunction with the Chinese Government,

take the necessary measures to prevent the smuggling into Chinese territory, as well as into their Far-Eastern Colonies and into the leased territories which they occupy in China, of raw and prepared opium, morphine, cocaine, and their respective salts, as also of the substances referred to in Article 14 of the present Convention. The Chinese Government shall, on their part, take similar measures for the suppression of the smuggling of opium and of the other substances above referred to from China to the foreign colonies and leased territories.

Article 16

The Chinese Government shall promulgate pharmacy laws for their subjects regulating the sale and distribution of morphine, cocaine, and their respective salts, and of the substances referred to in Article 14 of the present Convention, and shall communicate these laws to the Governments having treaties with China through their diplomatic representatives at Peking. The Contracting Powers having treaties with China shall examine these laws and, if they find them acceptable, shall take the necessary measures to apply them to their nationals residing in China.

Article 17

The Contracting Powers having treaties with China shall undertake to adopt the necessary measures to restrict and control the habit of smoking opium in their leased territories, settlements, and concessions in China, to suppress, *pari passu* with the Chinese Government, the opium dens or similar establishments which may still exist there, and to prohibit the use of opium in places of entertainment and brothels.

Article 18

The Contracting Powers having treaties with China shall take effective measures for the gradual reduction, *pari passu* with the effective measures which the Chinese Government shall take with the same object, of the number of shops in which raw and prepared opium is sold, which may still exist

in their leased territories, settlements, and concessions in China. They shall adopt effective measures for the restriction and control of the retail trade in opium in the leased territories, settlements, and concessions, unless regulations on the subject are already in existence.

Article 19

The Contracting Powers having post offices in China shall adopt effective measures to prohibit the illegal import into China in the form of postal packages, as well as the illegal transmission through these offices from one place in China to another, of opium (raw or prepared), morphine, cocaine, and their respective salts, and of the other substances referred to in Article 14 of the present Convention.

CHAPTER V

Article 20

The Contracting Powers shall examine the possibility of enacting laws or regulations making it a penal offence to be in illegal possession of raw opium, prepared opium, morphine, cocaine, and their respective salts, unless laws or regulations on the subject are already in existence.

Article 21

The Contracting Powers shall communicate to one another, through the Ministry of Foreign Affairs of the Netherlands :

(*a*) The texts of the existing laws and administrative regulations respecting the matters referred to in the present Convention or promulgated in virtue of the clauses thereof ;

(*b*) Statistical information as regards the trade in raw opium, prepared opium, morphine, cocaine, and their respective salts, as well as in the other drugs or their salts or preparations referred to in the present Convention.

These statistics shall be furnished with as many details and within a period as short as may be considered possible.

CHAPTER VI

FINAL PROVISIONS

Article 22

Any Power not represented at the Conference shall be allowed to sign the present Convention.

With this object the Government of the Netherlands will, immediately after the signature of the Convention by the Plenipotentiaries of the Powers which have taken part in the Conference, invite all the Powers of Europe and America not represented at the Conference, that is to say :

> The Argentine Republic, Austria-Hungary, Belgium, Bolivia, Brazil, Bulgaria, Chile, Colombia, Costa Rica, the Republic of Cuba, Denmark, the Dominican Republic, the Republic of Ecuador, Greece, Guatemala, the Republic of Haiti, Honduras, Luxemburg, Mexico, Montenegro, Nicaragua, Norway, Panama, Paraguay, Peru, Roumania, Salvador, Serbia, Spain, Sweden, Switzerland, Turkey, Uruguay, the United States of Venezuela,

to appoint a delegate, furnished with the necessary full powers, to sign the Convention at The Hague.

These signatures shall be affixed to the Convention by means of a " Protocol of Signature by Powers not represented," the date of each signature being mentioned.

The Government of the Netherlands will, every month, notify the Signatory Powers of each supplementary signature.

Article 23

After all the Powers, as well on their own behalf as on behalf of their possessions, colonies, protectorates, and leased territories, have signed the Convention or the supplementary Protocol above referred to, the Government of the Netherlands will invite all the Powers to ratify the Convention with this Protocol.

In the event of the signature of all the Powers invited not having been obtained on the date of December 31st, 1912, the Government of the Netherlands will immediately invite the

Powers which have signed by that date to appoint delegates to examine at The Hague the possibility of depositing their ratifications notwithstanding.

The ratification shall take place within as short a period as possible and shall be deposited at the Ministry of Foreign Affairs at The Hague.

The Government of the Netherlands will every month notify the Signatory Powers of the ratifications which they have received in the interval.

As soon as the ratifications of all the Signatory Powers, as well on their own behalf as on behalf of their colonies, possessions, protectorates, and leased territories, have been received by the Government of the Netherlands, the latter will notify all the Powers which have ratified the Convention of the date on which it received the last instrument of ratification.

Article 24

The present Convention shall come into force three months after the date mentioned in the notification by the Government of the Netherlands, referred to in the last paragraph of the preceding Article.

With regard to the laws, regulations, or other measures contemplated by the present Convention, it is agreed that the bills or drafts required for this purpose shall be prepared not later than six months after the entry into force of the Convention. As regards the laws, they shall also be submitted by their Governments to the Parliaments or legislative bodies within the same period of six months, or in any case at the first session following the expiration of this period.

The date on which these laws, regulations, or measures shall come into force shall form the subject of an agreement between the Contracting Powers, at the instance of the Government of the Netherlands.

In the event of questions arising relative to the ratification of the present Convention, or to the enforcement either of the Convention or of the laws, regulations, or measures resulting therefrom, the Government of the Netherlands will, if these questions cannot be settled by other means, invite

all the Contracting Powers to appoint delegates to meet at The Hague in order to arrive at an immediate agreement on the questions.

Article 25

If one of the Contracting Powers should wish to denounce the present Convention, the denunciation shall be notified in writing to the Government of the Netherlands, who will immediately communicate a certified copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall take effect only as regards the Power which notified it, and one year after the notification thereof has reached the Government of the Netherlands.

In witness whereof the Plenipotentiaries have affixed their signatures to the present Convention.

Done at The Hague, January 23rd, 1912, in a single copy, which shall be deposited and remain in the archives of the Government of the Netherlands, and of which certified copies will be transmitted through the diplomatic channel to all the Powers represented at the Conference.

In the final Protocol, the Conference further expressed the following *vœux :*

I. The Conference considers it desirable to direct the attention of the Universal Postal Union :

(1) To the urgency of regulating the transmission through the post of raw opium ;

(2) To the urgency of regulating as far as possible the transmission through the post of morphine, cocaine, and their respective salts and other substances referred to in Article 14 of the Convention ;

(3) To the necessity of prohibiting the transmission of prepared opium through the post.

II. The Conference considers it desirable to study the question of Indian Hemp from the statistical and scientific point of view, with the object of regulating its abuses, should

the necessity thereof be felt, by internal legislation or by an international agreement.

The Second Hague Conference, July 1–9, 1913, taking further steps towards general ratification, among other things declared unanimously the desire of the participating nations "to continue, in the direction indicated by the International Commission of Shanghai of 1909 and by the First Conference at The Hague in 1912, the progressive suppression of the abuse of opium, morphine, and cocaine, as well as of the drugs prepared or derived from these substances."

It further requested the Government of the Netherlands to communicate to the Governments of Bulgaria, Greece, Montenegro, Peru, Roumania, Serbia, Turkey, and Uruguay the following resolution :

> The Conference regrets that certain Governments have as yet declined or failed to sign the Convention. The Conference is of the opinion that the abstention of these Powers would prejudice most seriously the humanitarian ends sought by the Convention. The Conference expresses the firm hope that these Powers will alter their negative or dilatory attitude.

The Netherlands Government was requested also to inform the Swiss Government "that it is mistaken in its belief that its co-operation will be almost valueless. Contrary to the view expressed in the letter of the Federal Council of October 25th, 1912, the Conference believes that the co-operation of Switzerland will be most useful, while its abstention will jeopardize the results of the Convention."

APPENDIX B

FIRST OPIUM CONFERENCE

AGREEMENT, PROTOCOL AND FINAL ACT

Signed at Geneva, February 11th, 1925[1]

AGREEMENT

The British Empire (with India), China, France, Japan, The Netherlands, Portugal, and Siam,

Being fully determined to bring about the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium, as provided for in Chapter II of the International Opium Convention of January 23rd, 1912, in their Far-Eastern Possessions and Territories, including leased or protected territories, in which the use of prepared opium is temporarily authorized ; and

Being desirous, on the grounds of humanity and for the purpose of promoting the social and moral welfare of their peoples, of taking all possible steps for achieving the suppression of the use of opium for smoking with the least possible delay ;

Having decided to conclude an agreement supplementary to the said International Convention ;

Have nominated for this purpose as their plenipotentiaries :

(Here follow the names of the heads of States and their Plenipotentiaries.)

Who, having examined the present situation in regard to the application of Chapter II of the said International Opium Convention in the above-mentioned Far-Eastern possessions and territories ; and

Taking note of the fact that the increase of the smuggling

[1] This is the official English version. In the case of this Convention, both English and French texts are authentic.

of opium in the greater part of the territories in the Far East since the ratification of the Convention is hampering greatly the accomplishment of the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium, as provided for in the Convention, and is even rendering less effective some of the measures already taken for that end ; and

Taking into account the different situations of the several countries,

Having deposited their full powers found in good and due form ;

Have agreed as follows :—

Article I

1. Except as provided in paragraph 3 of this article with regard to retail sale, the importation, sale and distribution of opium shall be a monopoly of the Government and the right to import, sell or distribute opium shall not be leased, accorded or delegated to any persons whatever.

2. The making of prepared opium for sale shall also be made a monopoly of the Government as soon as circumstances permit.

3. (*a*) The system of employing persons paid by a fixed salary and not by a commission on sales for the retail sale and distribution of opium shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities.

(*b*) Elsewhere the retail sale and distribution of opium shall be conducted only by persons licensed by the Government.

Paragraph (*a*) need not be applied if a system of licensing and rationing of smokers is in force which affords equivalent or more effective guarantees.

Article II

The sale of opium to minors shall be prohibited. All possible steps shall be taken by the Contracting Powers to prevent the spread of the habit of opium smoking among minors.

Article III

No minors shall be permitted to enter any smoking divan.

Article IV

The Contracting Powers shall limit as much as possible the number of retail shops and, where smoking divans are permitted, the number of divans.

Article V

The purchase and sale of " dross," except when the " dross " is sold to the monopoly, is prohibited.

Article VI

(1) The export of opium, whether raw or prepared, from any Possession or Territory into which opium is imported for the purpose of smoking shall be prohibited.

(2) The transit through, or transhipment in, any such Possession or Territory of prepared opium shall be prohibited.

(3) The transit through, or transhipment in, any such Possession or Territory of raw opium consigned to a destination outside the Possession or Territory shall also be prohibited unless an import certificate, issued by the Government of the importing country, which can be accepted as affording sufficient guarantees against the possibility of illegitimate use, is produced to the Government of the Possession or Territory.

Article VII

The Contracting Powers shall use their utmost efforts by suitable instruction in the schools, dissemination of literature and otherwise, to discourage the use of prepared opium within their respective territories, except where a Government considers such measures to be undesirable under the conditions existing in its territory.

Article VIII

The Contracting Powers undertake to assist one another in their efforts to suppress the illicit traffic by the direct exchange

of information and views between the heads of the services concerned.

Article IX

The Contracting Powers will examine in the most favourable spirit the possibility of taking legislative measures to render punishable illegitimate transactions which are carried out in another country by a person residing within their territories.

Article X

The Contracting Powers will furnish all information which they can obtain with regard to the number of opium smokers. This information shall be transmitted to the Secretary-General of the League of Nations for publication.

Article XI

The provisions of this agreement shall not apply to opium destined solely for medical and scientific purposes.

Article XII

The Contracting Powers agree that they will jointly review from time to time at such dates as may be mutually agreed, the position in regard to the application of Chapter II of the Hague Convention of January 23rd, 1912, and of the present Agreement. The first meeting shall take place at latest in 1929.

Article XIII

The present Agreement applies only to the Far-Eastern possessions or territories of the Contracting Powers, including leased or protected territories, in which the use of prepared opium is temporarily authorized.

At the moment of ratification any Contracting Power may declare that its acceptance of the Agreement does not include any territory over which it exercises only a protectorate; and may accede subsequently in respect of any protectorate thus excluded by means of a notification of accession deposited with the Secretary-General of the League of Nations, who shall forthwith notify the accession to all the other Contracting Powers.

Article XIV

The present Agreement, of which the French and English texts are both authentic, shall be subject to ratification.

The deposit of ratification shall be made at the Secretariat of the League of Nations as soon as possible.

The Agreement shall not come into force until it has been ratified by two Powers. The date of its coming into force shall be the 90th day after the receipt by the Secretary-General of the League of Nations of the second ratification. Thereafter the Agreement shall take effect for each Contracting Power 90 days after the receipt of its ratification.

The Agreement shall be registered by the Secretary-General of the League of Nations upon the day of its coming into force.

Article XV

If one of the Contracting Powers should wish to denounce the present Agreement, the denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately communicate a copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall take effect only as regards the Power which notified it, and one year after the notification thereof has reached the Secretary-General.

IN FAITH WHEREOF the above-named plenipotentiaries have signed the present Agreement.[1]

DONE AT GENEVA, the eleventh day of February of nineteen hundred and twenty-five, in a single copy which shall remain deposited in the archives of the Secretariat of the League of Nations, and of which authenticated copies shall be transmitted to all the Contracting Powers.

PROTOCOL

The undersigned representatives of the States signatory to the Agreement relating to the use of prepared opium signed this day, duly authorized to that effect;

[1] All of the participating nations, except China, signed Agreement, Protocol and Final Act.

Anxious to ensure the complete and final execution of the obligations, and to strengthen the undertakings assumed by them under Article VI of the Hague Convention of 1912 ;

Taking note of the fact that the Second Opium Conference has decided to adopt a Protocol by which certain Powers are to establish within five years at latest an effective control over the production, distribution and export of raw opium, so as to prevent illicit traffic ;

Hereby agree as follows :

Article I

The States signatories of the present Protocol recognize that the provisions of the Agreement signed this day are supplementary to, and designed to facilitate the execution of, the obligation assumed by the signatory States under Article VI of the Hague Convention of 1912, which obligation remains in full force and effect.

Article II

As soon as the poppy-growing countries have ensured the effective execution of the necessary measures to prevent the exportation of raw opium from their territories from constituting a serious obstacle to the reduction of consumption in the countries where the use of prepared opium is temporarily authorized, the States signatories of the present Protocol will strengthen the measures already taken in accordance with Article VI of the Hague Convention of 1912, and will take any further measures which may be necessary, in order to reduce consumption of prepared opium in the territories under their authority, so that such use may be completely suppressed within a period of not more than fifteen years from the date of the decision referred to in the following Article.

Article III

A Commission to be appointed at the proper time by the Council of the League of Nations shall decide when the effective execution of the measures, mentioned in the preceding Article,

to be taken by the poppy-growing countries has reached the stage referred to in that Article. The decision of the Commission shall be final.

Article IV

In the event of any of the States signatories of the present Protocol finding, at any time during the period of fifteen years referred to in Article II, that the measures to be taken by the poppy-growing countries, referred to in the said Article, are no longer being effectively executed, such State shall have the right to bring the matter to the notice of the Council of the League of Nations. If the Council, whether by the report of a Commission appointed by it to investigate and report upon the facts, or by any other information at its disposal is satisfied that the facts are as stated, the States concerned will be entitled to denounce the present Protocol. In that case a Conference of the States concerned shall at once be held to consider the action to be taken.

Article V

During the year preceding the end of the period of fifteen years referred to in Article II, a special Conference of the States signatories of the present Protocol shall be held to consider the measures to be taken in regard to habitual addicts whose pathological condition is certified by the medical authorities of the country concerned.

Article VI

The States signatories of the present Protocol will coordinate their efforts to effect the complete and final suppression of the use of prepared opium. In order to attain this object as soon as possible the said States, recognizing the difficulties at present experienced by certain Powers in establishing an effective control over the production, distribution and exportation of raw opium, make a pressing appeal to the poppy-growing countries for the establishment between all the States concerned of a sincere and energetic collaboration which will lead to the termination of the illicit traffic.

Article VII

The present Protocol shall come into force for each of the signatory States at the same time as the Agreement relating to the use of prepared opium signed this day.

Article VIII

Any State represented at the Conference at which the present Protocol was drawn up may accede to it at any time after its coming into force.

FINAL ACT

The Conference, with the exception of the Chinese Delegation, further adopted the following Resolution :—

"It has been pointed out to the Conference that in some countries the system of licences (or registration) and rationing has been successful in diminishing the number of smokers.

"At the same time, the Conference has found that, in other countries, the contraband trade which equals and even surpasses in extent the legitimate trade, renders the application of this system difficult, and in the opinion of the Governments in question useless and in some cases dangerous.

"Accordingly, the Conference declares that the possibility of adopting these measures or of maintaining them in those territories where they are now working successfully, depends principally upon the extent of the contraband trade.

"It therefore leaves to the Contracting Powers which have not yet applied this system the duty of selecting the moment when circumstances will allow of its adoption and of taking in the meantime all such preparatory measures as they may deem expedient."

The Representative of the British Empire declared that he signed the Protocol subject to the following declaration :—

"I declare that my signature of this Protocol is subject

in respect of British Protectorates, to the conditions contained in Article XIII of the Agreement signed this day."

The Representative of Portugal, on signing the Agreement, made the following declarations :—

(1) "The Portuguese Government while accepting the principle of a monopoly as formulated in Article I, does so, as regards the moment at which the measures provided for in the first paragraph thereof shall come into force, subject to the limitation contained in the second paragraph of the Article.

(2) "The Portuguese Government being bound by a contract consistent with the provisions of the Hague Convention of 1912, will not be able to put into operation the provisions of paragraph 1 of Article 6 of the present Agreement so long as its obligations under this contract are in force."

The Representative of Siam declared that he signed the Agreement subject to the following declaration :—

"The Siamese Delegation is instructed to sign the Agreement under reservation of Article I, paragraph 3 (*a*) with regard to the time when this provision shall come into force and of Article V. The reason for these reservations has been stated by the First Delegate of Siam on the 14th November, 1924. The Siamese Government is hoping to put into force the system of registration and rationing within the period of three years. After that date, the reservation in regard to Article I, paragraph 3 (*a*) will fall to the ground."

APPENDIX C

SECOND OPIUM CONFERENCE

CONVENTION, PROTOCOL, AND FINAL ACT

Signed at Geneva, February 19th, 1925[1]

Taking note of the fact that the application of the provisions of the Hague Convention of January 23rd, 1912, by the Contracting Parties has produced results of great value, but that the contraband trade in and abuse of the substances to which the Convention applies still continue on a great scale ;

Convinced that the contraband trade in and abuse of these substances cannot be effectually suppressed except by bringing about a more effective limitation of the production or manufacture of the substances, and by exercising a closer control and supervision of the international trade, than are provided for in the said Convention ;

Desirous therefore of taking further measures to carry out the objects aimed at by the said Convention and to complete and strengthen its provisions ;

Realizing that such limitation and control require the close co-operation of all the Contracting Parties ;

Confident that this humanitarian effort will meet with the unanimous adhesion of the nations concerned :

Have decided to conclude a Convention for this purpose.

The High Contracting Parties have accordingly appointed as their Plenipotentiaries :

(Here follow the names of heads of States and their Plenipotentiaries.)

who, after communicating their full powers, found in good and due form, have agreed as follows :

[1] This is the official English version : both English and French texts are authentic.

CHAPTER I

DEFINITIONS

Article 1

The Contracting Parties agree to adopt the following definitions for the purposes of the present Convention :

Raw Opium.—" Raw opium " means the spontaneously coagulated juice obtained from the capsules of the *Papaver Somniferum L.*, which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine.

Medicinal Opium.—" Medicinal opium " means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the national pharmacopœia, whether in powder form or granulated or otherwise or mixed with neutral materials.

Morphine.—" Morphine " means the principal alkaloid of opium having the chemical formula $C_{17}H_{19}NO_3$.

Diacetylmorphine.—" Diacetylmorphine " means diacetylmorphine (diamorphine, heroin) having the formula $C_{21}H_{23}NO_5$.

Coca Leaf.—" Coca leaf " means the leaf of the *Erythroxylon Coca Lamarck* and the *Erythroxylon Novo-granatense* (Morris) *Hieronymus* and their varieties, belonging to the family of *Erythroxylaceæ* and the leaf of other species of this genus from which it may be found possible to extract cocaine either directly or by chemical transformation.

Crude Cocaine.—" Crude Cocaine " means any extract of the coca leaf which can be used directly or indirectly for the manufacture of cocaine.

Cocaine.—" Cocaine " means methyl-benzoyl lævo-ecgonine ($D20° = -16°4$) in 20 per cent solution of chloroform, of which the formula is $C_{17}H_{21}NO_4$.

Ecgonine.—" Ecgonine " means lævo-ecgonine ($[\alpha]\ D20° = -45°6$ in 5 per cent solution of water), of which the formula is $C_9H_{15}NO_3$. H_2O, and all the derivatives of lævo-ecgonine which might serve industrially for its recovery.

Indian Hemp.—" Indian hemp " means the dried flowering

or fruiting tops of the pistillate plant *Cannabis sativa L.* from which the resin has not been extracted, under whatever name they may be designated in commerce.

CHAPTER II

INTERNAL CONTROL OF RAW OPIUM AND COCA LEAVES

Article 2

The Contracting Parties undertake to enact laws and regulations to ensure the effective control of the production, distribution and export of raw opium, unless laws and regulations on the subject are already in existence ; they also undertake to review periodically, and to strengthen as required, the laws and regulations on the subject which they have enacted in virtue of Article I of the Hague Convention of 1912 or of the present Convention.

Article 3

Due regard being had to the differences in their commercial conditions, the Contracting Parties shall limit the number of towns, ports or other localities through which the export or import of raw opium or coca leaves shall be permitted.

CHAPTER III

INTERNAL CONTROL OF MANUFACTURED DRUGS

Article 4

The provisions of the present Chapter apply to the following substances :

(*a*) Medicinal opium ;

(*b*) Crude cocaine and ecgonine ;

(*c*) Morphine, diacetylmorphine, cocaine and their respective salts ;

(*d*) All preparations officinal and non-officinal (including the so-called anti-opium remedies) containing more

than 0·2 per cent of morphine or more than 0·1 per cent of cocaine ;

(*e*) All preparations containing diacetylmorphine ;

(*f*) Galenical preparations (extract and tincture of Indian hemp) ;

(*g*) Any other narcotic drug to which the present Convention may be applied in accordance with Article 10.

Article 5

The Contracting Parties shall enact effective laws or regulations to limit exclusively to medical and scientific purposes the manufacture, import, sale, distribution, export and use of the substances to which this Chapter applies. They shall co-operate with one another to prevent the use of these substances for any other purposes.

Article 6

The Contracting Parties shall control all persons manufacturing, importing, selling, distributing or exporting the substances to which this Chapter applies, as well as the buildings in which these persons carry on such industry or trade.

With this object, the Contracting Parties shall :

(*a*) Confine the manufacture of the substances referred to in Article 4 (*b*), (*c*) and (*g*) to those establishments and premises alone which have been licensed for the purpose.

(*b*) Require that all persons engaged in the manufacture, import, sale, distribution, or export of the said substances shall obtain a licence or permit to engage in these operations ;

(*c*) Require that such persons shall enter in their books the quantities manufactured, imports, exports, sales and all other distribution of the said substances. This requirement shall not necessarily apply either to supplies dispensed by medical practitioners or to sales by duly authorized chemists on medical prescriptions, provided in each case that the medical prescriptions are filed and preserved by the medical practitioner or chemist.

Article 7

The Contracting Parties shall take measures to prohibit, as regards their internal trade, the delivery to or possession by any unauthorized persons of the substances to which this Chapter applies.

Article 8

In the event of the Health Committee of the League of Nations, after having submitted the question for advice and report to the Permanent Committee of the Office International d'Hygiène Publique in Paris, finding that any preparation containing any of the narcotic drugs referred to in the present Chapter cannot give rise to the drug habit on account of the medicaments with which the said drugs are compounded and which in practice preclude the recovery of the said drugs, the Health Committee shall communicate this finding to the Council of the League of Nations. The Council will communicate the finding to the Contracting Parties, and thereupon the provisions of the present Convention will not be applicable to the preparation concerned.

Article 9

Any Contracting Party may authorize the supply to the public by chemists, at their own discretion, as medicines, for immediate use in urgent cases, of the following opiate officinal preparations : tincture of opium, Sydenham laudanum and Dover powder. The maximum dose, however, which may be supplied in such cases must not contain more than 25 centigrammes of officinal opium, and the chemist must enter in his books the quantities supplied, as provided in Article 6 (*c*).

Article 10

In the event of the Health Committee of the League of Nations, after having submitted the question for advice and report to the Permanent Committee of the Office International d'Hygiène Publique in Paris, finding that any narcotic drug to which the present Convention does not apply is liable to similar abuse and productive of similar ill-effects as the

substances to which this Chapter of the Convention applies, the Health Committee shall inform the Council of the League accordingly and recommend that the provisions of the present Convention shall be applied to such drug.

The Council of the League shall communicate the said recommendation to the Contracting Parties. Any Contracting Party which is prepared to accept the recommendation shall notify the Secretary-General of the League, who will inform the other Contracting Parties.

The provisions of the present Convention shall thereupon apply to the substances in question as between the Contracting Parties who have accepted the recommendation referred to above.

CHAPTER IV

INDIAN HEMP

Article 11

1. In addition to the provisions of Chapter V of the present Convention, which shall apply to Indian hemp and the resin prepared from it, the Contracting Parties undertake :

(*a*) To prohibit the export of the resin obtained from Indian hemp and the ordinary preparations of which the resin forms the base (such as hashish, esrar, chiras, djamba) to countries which have prohibited their use, and, in cases where export is permitted, to require the production of a special import certificate issued by the Government of the importing country stating that the importation is approved for the purposes specified in the certificate and that the resin or preparations will not be re-exported ;

(*b*) Before issuing an export authorization under Article 13 of the present Convention, in respect of Indian hemp, to require the production of a special import certificate issued by the Government of the importing country and stating that the importation is approved and is required exclusively for medical or scientific purposes.

2. The Contracting Parties shall exercise an effective control of such a nature as to prevent the illicit international traffic in Indian hemp and especially in the resin.

CHAPTER V

CONTROL OF INTERNATIONAL TRADE

Article 12

Each Contracting Party shall require a separate import authorization to be obtained for each importation of any of the substances to which the present Convention applies. Such authorization shall state the quantity to be imported, the name and address of the importer and the name and address of the exporter.

The import authorization shall specify the period within which the importation must be effected and may allow the importation in more than one consignment.

Article 13

1. Each Contracting Party shall require a separate export authorization to be obtained for each exportation of any of the substances to which the present Convention applies. Such authorization shall state the quantity to be exported, the name and address of the exporter and the name and address of the importer.

2. The Contracting Party, before issuing such export authorization, shall require an import certificate, issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person or establishment applying for the export authorization.

Each Contracting Party agrees to adopt, so far as possible, the form of import certificate annexed to the present Convention.

3. The export authorization shall specify the period within which the exportation must be effected, and shall state the number and date of the import certificate and the authority by whom it has been issued.

4. A copy of the export authorization shall accompany the consignment, and the Government issuing the export authorization shall send a copy to the Government of the importing country.

5. The Government of the importing country, when the importation has been effected, or when the period fixed for the importation has expired, shall return the export authorization, with an endorsement to that effect, to the Government of the exporting country. The endorsement shall specify the amount actually imported.

6. If a less quantity than that specified in the export authorization is actually exported, the quantity actually exported shall be noted by the competent authorities on the export authorization and on any official copy thereof.

7. In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be accepted by the Government of the exporting country in place of the import certificate provided for above. In such a case, the export authorization shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse.

Article 14

For the purpose of ensuring the full application and enforcement of the provisions of the present Convention in free ports and free zones, the Contracting Parties undertake to apply in free ports and free zones situated within their territories the same laws and regulations, and to exercise therein the same supervision and control, in respect of the substances covered by the said Convention, as in other parts of their territories.

This Article does not, however, prevent any Contracting Party from applying, in respect of the said substances, more drastic provisions in its free ports and free zones than in other parts of its territories.

Article 15

1. No consignment of any of the substances covered by the present Convention which is exported from one country to another country shall be permitted to pass through a third country, whether or not it is removed from the ship or conveyance in which it is being conveyed, unless the copy of the export authorization (or the diversion certificate, if such a certificate has been issued in pursuance of the following paragraph) which accompanies the consignment is produced to the competent authorities of that country.

2. The competent authorities of any country through which a consignment of any of the substances covered by the present Convention is permitted to pass shall take all due measures to prevent the diversion of the consignment to a destination other than that named in the copy of the export authorization (or the diversion certificate) which accompanies it, unless the Government of that country has authorized that diversion by means of a special diversion certificate. A diversion certificate shall only be issued after the receipt of an import certificate, in accordance with Article 13, from the Government of the country to which it is proposed to divert the consignment, and shall contain the same particulars as are required by Article 13 to be stated in an export authorization, together with the name of the country from which the consignment was originally exported. All the provisions of Article 13 which are applicable to an export authorization shall be applicable equally to the diversion certificate.

Further, the Government of the country authorizing the diversion of the consignment shall detain the copy of the original export authorization (or diversion certificate) which accompanied the consignment on arrival in its territory, and shall return it to the Government which issued it, at the same time notifying the name of the country to which the diversion has been authorized.

3. In cases where the transport is being effected by air, the preceding provisions of this Article shall not be applicable if the aircraft passes over the territory of the third country without landing. If the aircraft lands in the territory of the

said country, the said provisions shall be applied so far as the circumstances permit.

4. Paragraphs 1 to 3 of this Article are without prejudice to the provisions of any international agreement which limits the control which may be exercised by any of the Contracting Parties over the substances to which the present Convention applies when in direct transit.

5. The provisions of this Article shall not apply to transport of the substances by post.

Article 16

A consignment of any of the substances covered by the present Convention which is landed in the territory of any Contracting Party and placed in a bonded warehouse shall not be withdrawn from the bonded warehouse unless an import certificate, issued by the Government of the country of destination and certifying that the importation is approved, is produced to the authorities having jurisdiction over the bonded warehouse. A special authorization shall be issued by the said authorities in respect of each consignment so withdrawn and shall take the place of the export authorization for the purpose of Articles 13, 14 and 15 above.

Article 17

No consignment of the substances covered by the present Convention while passing in transit through the territories of any Contracting Party or whilst being stored there in a bonded warehouse may be subjected to any process which would alter the nature of the substances in question or, without the permission of the competent authorities, the packing.

Article 18

If any Contracting Party finds it impossible to apply any provision of this Chapter to trade with another country by reason of the fact that such country is not a party to the present Convention, such Contracting Party will only be bound to apply the provisions of this Chapter so far as the circumstances permit.

CHAPTER VI

PERMANENT CENTRAL BOARD

Article 19

A Permanent Central Board shall be appointed, within three months from the coming into force of the present Convention.

The Central Board shall consist of eight persons who, by their technical competence, impartiality and disinterestedness, will command general confidence.

The members of the Central Board shall be appointed by the Council of the League of Nations.

The United States of America and Germany shall be invited each to nominate one person to participate in these appointments.

In making the appointments, consideration shall be given to the importance of including on the Central Board, in equitable proportion, persons possessing a knowledge of the drug situation, both in the producing and manufacturing countries on the one hand and in the consuming countries on the other hand, and connected with such countries.

The members of the Central Board shall not hold any office which puts them in a position of direct dependence on their Governments.

The members shall be appointed for a term of five years, and they will be eligible for reappointment.

The Central Board shall elect its own President and shall settle its rules of procedure.

At meetings of the Board, four members shall form a quorum.

The decisions of the Board relative to Articles 24 and 26 shall be taken by an absolute majority of the whole number of the Board.

Article 20

The Council of the League of Nations shall, in consultation with the Board, make the necessary arrangements for the organization and working of the Board, with the object of assuring the full technical independence of the Board in carry-

ing out its duties under the present Convention, while providing for the control of the staff in administrative matters by the Secretary-General.

The Secretary-General shall appoint the secretary and staff of the Board on the nomination of the Board and subject to the approval of the Council.

Article 21

The Contracting Parties agree to send in annually before December 31st, to the Permanent Central Board set up under Article 19, estimates of the quantities of each of the substances covered by the Convention to be imported into their territory for internal consumption during the following year for medical, scientific and other purposes.

These estimates are not to be regarded as binding on the Government concerned, but will be for the purpose of serving as a guide to the Central Board in the discharge of its duties.

Should circumstances make it necessary for any country, in the course of the year, to modify its estimates the country in question shall communicate the revised figures to the Central Board.

Article 22

1. The Contracting Parties agree to send annually to the Central Board, in a manner to be indicated by the Board, within three (in the case of paragraph (*c*), five) months after the end of the year, as complete and accurate statistics as possible relative to the preceding year, showing :

(*a*) Production of raw opium and coca-leaves ;

(*b*) Manufacture of the substances covered by Chapter III, Article 4 (*b*) (*c*) and (*g*) of the present Convention and the raw material used for such manufacture. The amount of such substances used for the manufacture of other derivatives not covered by the Convention shall be separately stated ;

(*c*) Stocks of the substances covered by Chapters II and III of the present Convention in the hands of wholesalers or held by the Government for consumption in the country for other than Government purposes ;

(*d*) Consumption, other than for Government purposes, of the substances covered by Chapters II and III of the present Convention ;

(*e*) Amounts of each of the substances covered by the present Convention which have been confiscated on account of illicit import or export ; the manner in which the confiscated substances have been disposed of shall be stated, together with such other information as may be useful in regard to such confiscation and disposal.

The statistics referred to in paragraphs (*a*) to (*e*) above shall be communicated by the Central Board to the Contracting Parties.

2. The Contracting Parties agree to forward to the Central Board, in a manner to be prescribed by the Board, within four weeks after the end of each period of three months, the statistics of their imports from and exports to each country of each of the substances covered by the present Convention during the preceding three months. These statistics will, in such cases as may be prescribed by the Board, be sent by telegram, except when the quantities fall below a minimum amount which shall be fixed in the case of each substance by the Board.

3. In furnishing the statistics in pursuance of this Article, the Governments shall state separately the amounts imported or purchased for Government purposes, in order to enable the amounts required in the country for general medical and scientific purposes to be ascertained. It shall not be within the competence of the Central Board to question or to express any opinion on the amounts imported or purchased for Government purposes or the use thereof.

4. For the purposes of this Article, substances which are held, imported, or purchased by the Government for eventual sale are not regarded as held, imported or purchased for Government purposes.

Article 23

In order to complete the information of the Board as to the disposal of the world's supply of raw opium, the Governments

of the countries where the use of prepared opium is temporarily authorized shall, in a manner to be prescribed by the Board, in addition to the statistics provided for in Article 22, forward annually to the Board, within three months after the end of the year, as complete and accurate statistics as possible relative to the preceding year showing :

(1) The manufacture of prepared opium, and the raw material used for such manufacture ;

(2) The consumption of prepared opium.

It is understood that it shall not be within the competence of the Board to question or to express any opinion upon these statistics, and that the provisions of Article 24 are not applicable to the matters dealt with in this Article, except in cases where the Board may find that illicit international transactions are taking place on an appreciable scale.

Article 24

1. The Central Board shall continuously watch the course of the international trade. If the information at its disposal leads the Board to conclude that excessive quantities of any substance covered by the present Convention are accumulating in any country, or that there is a danger of that country becoming a centre of the illicit traffic, the Board shall have the right to ask, through the Secretary-General of the League, for explanations from the country in question.

2. If no explanation is given within a reasonable time or the explanation is unsatisfactory, the Central Board shall have the right to call the attention of the Governments of all the Contracting Parties and of the Council of the League of Nations to the matter, and to recommend that no further exports of the substances covered by the present Convention or any of them shall be made to the country concerned until the Board reports that it is satisfied as to the situation in that country in regard to the said substances. The Board shall at the same time notify the Government of the country concerned of the recommendation made by it.

3. The country concerned shall be entitled to bring the matter before the Council of the League.

4. The Government of any exporting country which is not prepared to act on the recommendation of the Central Board shall also be entitled to bring the matter before the Council of the League.

If it does not do so, it shall immediately inform the Board that it is not prepared to act on the recommendation, explaining, if possible, why it is not prepared to do so.

5. The Central Board shall have the right to publish a report on the matter and communicate it to the Council, which shall thereupon forward it to the Governments of all the Contracting Parties.

6. If in any case the decision of the Central Board is not unanimous, the views of the minority shall also be stated.

7. Any country shall be invited to be represented at a meeting of the Central Board at which a question directly interesting it is considered.

Article 25

It shall be the friendly right of any of the Contracting Parties to draw the attention of the Board to any matter which appears to it to require investigation, provided that this Article shall not be construed as in any way extending the powers of the Board.

Article 26

In the case of a country which is not a party to the present Convention, the Central Board may take the same measures as are specified in Article 24, if the information at the disposal of the Board leads it to conclude that there is a danger of the country becoming a centre of the illicit traffic ; in that case the Board shall take the action indicated in the said Article as regards notification to the country concerned.

Paragraphs 3, 4 and 7 of Article 24 shall apply in any such case.

Article 27

The Central Board shall present an annual report on its work to the Council of the League. This report shall be published and communicated to all the Contracting Parties.

The Central Board shall take all necessary measures to ensure that the estimates, statistics, information and explanations which it receives under Articles 21, 22, 23, 24, 25 or 26 of the present Convention shall not be made public in such a manner as to facilitate the operations of speculators or injure the legitimate commerce of any Contracting Party.

CHAPTER VII

GENERAL PROVISIONS

Article 28

Each of the Contracting Parties agrees that breaches of its laws or regulations by which the provisions of the present Convention are enforced shall be punishable by adequate penalties, including in appropriate cases the confiscation of the substances concerned.

Article 29

The Contracting Parties will examine in the most favourable spirit the possibility of taking legislative measures to render punishable acts committed within their jurisdiction for the purpose of procuring or assisting the commission in any place outside their jurisdiction of any act which constitutes an offence against the laws of that place relating to the matters dealt with in the present Convention.

Article 30

The Contracting Parties shall communicate to one another, through the Secretary-General of the League of Nations, their existing laws and regulations respecting the matters referred to in the present Convention, so far as this has not already been done, as well as those promulgated in order to give effect to the said Convention.

Article 31

The present Convention replaces, as between the Contracting Parties, the provisions of Chapters I, III and V of the

Convention signed at The Hague on January 23rd, 1912, which provisions remain in force as between the Contracting Parties and any States Parties to the said Convention which are not Parties to the present Convention.

Article 32

1. In order as far as possible to settle in a friendly manner disputes arising between the Contracting Parties in regard to the interpretation or application of the present Convention which they have not been able to settle through diplomatic channels, the parties to such a dispute may, before resorting to any proceedings for judicial settlement or arbitration, submit the dispute for an advisory opinion to such technical body as the Council of the League of Nations may appoint for this purpose.

2. The advisory opinion shall be given within six months commencing from the day on which the dispute has been submitted to the technical body, unless this period is prolonged by mutual agreement between the parties to the dispute. The technical body shall fix the period within which the parties are to decide whether they will accept the advisory opinion given by it.

3. The advisory opinion shall not be binding upon the parties to the dispute unless it is accepted by each of them.

4. Disputes which it has not been found possible to settle either directly or on the basis of the advice of the above-mentioned technical body shall, at the request of any one of the parties thereto, be brought before the Permanent Court of International Justice, unless a settlement is attained by way of arbitration or otherwise by application of some existing convention or in virtue of an arrangement specially concluded.

5. Proceedings shall be opened before the Permanent Court of International Justice in the manner laid down in Article 40 of the Statute of the Court.

6. A decision of the parties to a dispute to submit it for an advisory opinion to the technical body appointed by the Council of the League of Nations, or to resort to arbitration,

shall be communicated to the Secretary-General of the League of Nations and by him to the other Contracting Parties, which shall have the right to intervene in the proceedings.

7. The parties to a dispute shall bring before the Permanent Court of International Justice any question of international law or question as to the interpretation of the present Convention arising during proceedings before the technical body or arbitral tribunal, decision of which by the Court is, on the demand of one of the parties, declared by the technical body or arbitral tribunal to be necessary for the settlement of the dispute.

Article 33

The present Convention, of which the French and English texts are both authentic, shall bear to-day's date, and shall be open for signature until the 30th day of September, 1925, by any State represented at the Conference at which the present Convention was drawn up, by any Member of the League of Nations, and by any State to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

Article 34

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify their receipt to the Members of the League which are signatories of the Convention and to the other signatory States.

Article 35

After the 30th day of September, 1925, the present Convention may be acceded to by any State represented at the Conference at which this Convention was drawn up and which has not signed the Convention, by any Member of the League of Nations, or by any State to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

Accession shall be effected by an instrument communicated to the Secretary-General of the League of Nations to be

deposited in the archives of the Secretariat. The Secretary-General shall at once notify such deposit to all the Members of the League of Nations signatories of the Convention and to the other signatory States.

Article 36

The present Convention shall not come into force until it has been ratified by ten Powers, including seven of the States by which the Central Board is to be appointed in pursuance of Article 19, of which at least two must be permanent Members of the Council of the League. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the last of the necessary ratifications. Thereafter, the present Convention will take effect in the case of each Party ninety days after the receipt of its ratification or of the notification of its accession.

In compliance with the provisions of Article 18 of the Covenant of the League of Nations, the Secretary-General will register the present Convention upon the day of its coming into force.

Article 37

A special record shall be kept by the Secretary-General of the League of Nations showing which of the Parties have signed, ratified, acceded to or denounced the present Convention. This record shall be open to the Contracting Parties and the Members of the League at all times ; it shall be published as often as possible, in accordance with the directions of the Council.

Article 38

The present Convention may be denounced by an instrument in writing addressed to the Secretary-General of the League of Nations. The denunciation shall become effective one year after the date of the receipt of the instrument of denunciation by the Secretary-General, and shall operate only in respect of the Contracting Party which makes it.

The Secretary-General of the League of Nations shall notify the receipt of any such denunciations to all Members

of the League of Nations signatories of or adherents to the Convention and to the other signatory or adherent States.

Article 39

Any State signing or acceding to the present Convention may declare, at the moment either of its signature, ratification or accession, that its acceptance of the present Convention does not include any or all of its colonies, overseas possessions, protectorates, or overseas territories under its sovereignty or authority, or in respect of which it has accepted a mandate on behalf of the League of Nations, and may subsequently accede, in conformity with the provisions of Article 35, on behalf of any such colony, overseas possession, protectorate or territory excluded by such declaration.

Denunciation may also be made separately in respect of any such colony, overseas possession, protectorate or territory, and the provisions of Article 38 shall apply to any such denunciation.

In faith whereof the above-named Plenipotentiaries have signed the present Convention.

Done at Geneva, the nineteenth day of February, one thousand nine hundred and twenty-five, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified copies will be transmitted to all the States represented at the Conference and to all Members of the League of Nations.

(The original signatories of this Convention, as of February 19, 1925, were Albania, Germany, Belgium, Great Britain, Australia, France, Greece, Japan, Luxemburg, the Netherlands, Persia, Poland, Portugal and Siam. But Germany made reservation that her signature was subject to her being represented in the Central Board, Persia *ad referendum* and subject to her receiving the aid referred to in her memorandum requesting a loan for the substitution of crops, and France as to the possibility of prompt reports to the Central Board from her outlying possessions. Siam, having no instructions regarding Indian hemp, made complete reservation of that subject.)

PROTOCOL

The undersigned, representatives of certain States signatory to the Convention relating to Dangerous Drugs signed this day, duly authorized to that effect;

Taking note of the Protocol signed the eleventh day of February one thousand nine hundred and twenty-five by the representatives of the States signatory to the Agreement signed on the same day relating to the Use of Prepared Opium:

Hereby agree as follows:

I

The States signatory to the present Protocol, recognizing that under Chapter I of the Hague Convention the duty rests upon them of establishing such a control over the production, distribution and exportation of raw opium as would prevent the illicit traffic, agree to take such measures as may be required to prevent completely, within five years from the present date, the smuggling of opium from constituting a serious obstacle to the effective suppression of the use of prepared opium in those territories where such use is temporarily authorized.

II

The question whether the undertaking referred to in Article I has been completely executed shall be decided, at the end of the said period of five years, by a Commission to be appointed by the Council of the League of Nations.

III

The present Protocol shall come into force for each of the signatory States at the same time as the Convention relating to Dangerous Drugs signed this day. Articles 33 and 35 of the Convention are applicable to the present Protocol.

In faith whereof the present Protocol was drawn up at Geneva the nineteenth day of February, 1925, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified copies will be transmitted

to all States represented at the Conference and to all Members of the League of Nations.

(The original signatories of this Protocol were Albania, Germany, Great Britain, Australia, Greece (*ad referendum*), Japan, Luxemburg, the Netherlands, Persia, Portugal, Siam.)

FINAL ACT

I

The Conference recognizes that, to enable the Convention relating to Dangerous Drugs signed this day to produce its full effect, it is essential that it should be applied as widely as possible in the colonies, possessions, protectorates and territories mentioned in Article 39 of the Convention. The Conference accordingly expresses the earnest hope that the Governments concerned will take the necessary steps to that end with as little delay as possible, and that the number of such colonies, possessions, protectorates or territories excluded from the operation of the Convention may be reduced to a minimum.

II

The Conference recommends that each Government should consider the possibility of forbidding the conveyance in any ship sailing under its flag of any consignment of the substances covered by the Convention :

(1) Unless an export authorization has been issued in respect of such consignment in accordance with the provisions of the Convention, and the consignment is accompanied by an official copy of such authorization, or of any diversion certificate which may be issued ;

(2) To any destination other than the destination mentioned in the export authorization or diversion certificate.

III

The Conference recommends that all States should co-operate as closely as possible with one another in the sup-

pression of the illicit traffic, and that they should authorize the competent authorities charged with the administration of the law on the subject to communicate directly with the corresponding authorities in other countries.

IV

The Conference draws attention to the advisability in certain cases of requiring dealers who are licensed by the Government to trade in the substances covered by the Convention to deposit or give sureties for a sum of money sufficient to serve as an effective guarantee against their engaging in the illicit traffic.

V

The Conference asks the Council of the League of Nations to examine the suggestion which has been made in the course of its proceedings, in particular by the Persian delegation, that a commission should be appointed to visit certain opium-producing countries, should those countries so desire, for the purpose of making a careful study (in collaboration with the Governments of those countries) of the difficulties connected with the limitation of the production of opium in those countries and advising as to the measures which could be taken to make it possible to limit the production of opium in those countries to the quantities required for medical and scientific purposes.

VI

The Conference asks the Council of the League of Nations to invite the Health Committee to consider immediately whether it would be expedient to consult the International Health Office regarding the products mentioned in Articles 8 and 10, in order that, if so, a decision concerning preparations which cannot give rise to the drug habit and a recommendation concerning all other drugs which might come under the provisions of the Convention may be notified immediately upon the entry into force of the said Convention.

VII

The Conference requests the Council of the League of Nations to decide to include in the expenses of the Secretariat the expenses of the Central Board and its administrative services.

It is understood that those Contracting Parties which are not Members of the League will bear their share of the expenses in accordance with a scale to be drawn up by agreement with the Council.

(The original signatories of the Final Act were Albania, Germany, Australia, Belgium, Bolivia, Great Britain, Spain, France, Greece, Hungary, Japan, Luxemburg, the Netherlands, Persia, Poland, Portugal.)

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